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# OHIO STATE BOARD OF COSMETOLOGY

1929 Gateway Circle

Grove City, Ohio 43123

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OFFICIAL BOARD MEETING MINUTES OF June 9, 2015

REGULAR BUSINESS MEETING

**TRANSCRIPTION NOTE (Exhibit A):**

Anderson Reporting Service, 3242 West Henderson Road, Suite A, Columbus, OH 43220 was the transcription service for this meeting. Transcript is attached as Exhibit A.

**MEMBERS IN ATTENDANCE (Exhibit B):**

Thomas Taneff, Chairman

Valerie Benfer

Luke Hanks

Charles Penzone

Tasha Shepline

Shalini Gupta, M.D. (arrived at 1:14 PM)

Clara Osterhage

Steven Thompson, Vice Chairman

**Staff in attendance:**

Christopher H. Logsdon, Executive Director

Lori Pearson, Program Administrator 2

Lacey Meeks, Program Administrator 1

**Assistant Attorney General in Attendance:**

Federico G. Barrera, III, Assistant Attorney General

**Others in Attendance:**

Tim Hornsby, The Hornsby Group

Angela Hodges, the Hornsby Group

Teresa Merriweather

Bunny Neal, CDHS

Elizabeth Murch, OSA

Don Yearwood, OACS

Sue Carter Moore, SSG

Melinda Williams, Madison Adult

Emily Harrison, Kenneths

**Agenda item #1: CALL MEETING TO ORDER (Exhibit C)**

Mr. Taneff called the meeting to order at 1:00 pm.

**Agenda item 1a: Roll Call**

Ms. Meeks took roll call and seven members were present. Having noted a majority of members were present, Mr. Taneff proceeded to conduct business. Dr. Gupta was not present during roll call, but later arrived at 1:14 PM, making a total number of eight members present.

**Agenda item 1b: Pledge of Allegiance to the Flag of the United States of America**

Following the roll call, Mr. Taneff asked members to stand and recite the Pledge of Allegiance to the Flag of the United States of America. Members and audience rose and recited the Pledge of Allegiance.

**Agenda item 1c: Approval of Meeting Agenda (Exhibit C)**

Motion #1: Ms. Osterhage moved to approve the meeting agenda for the June 9, 2015 Board meeting. Ms. Benfer seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – 0.

**Agenda item #2: APPROVAL OF PREVIOUS MEETING MINUTES (Exhibit D)**

**Agenda item 2a: Approval of Previous Meeting Minutes**

Motion #2: Ms. Osterhage moved to approve the May 12, 2015 meeting minutes. Ms. Shepline seconded the motion. Discussion: None Roll call vote taken - motion carried: 6 – Yes. Mr. Thompson abstained

**Agenda item #3: OFFICER AND STAFF REPORTS**

**Agenda item 3a: Chairperson's Report**

Mr. Taneff had no report.

**Agenda item 3b: Executive Director's Report (Exhibit E)**

Mr. Logsdon submitted a written report. He verbally reviewed the following issues:

1. FY 2015 Financial Report – Mr. Logsdon reported that his fiscal report would be the last one for FY 2015. Mr. Logsdon reported that payroll obligations were a little higher than anticipated for the 4<sup>th</sup> quarter and funds were reallocated to account for the small deficit. Mr. Logsdon predicted the Board would complete the fiscal year within budget.
2. Mr. Logsdon reported that the FY 2016/2017 budget recommendations from the Ohio Senate had just been released minutes before the Board meeting. Mr. Logsdon reported Senate recommendations would propose to merge the Ohio State Board of Cosmetology and the Ohio Barbers Board, while providing the board a slight increase in FY 2016 and a 17 percent decrease in funding from the House version in FY 2017. Mr. Logsdon stated that the Ohio House and Senate versions would likely be reconciled through the House/Senate Conference Committee. Mr. Logsdon reminded members that the budget was not final at this point. Discussion: Mr. Taneff inquired about the composition of the proposed merged board. Mr. Logsdon stated that the comparison document indicates the board would be expanded to 12 members, adding one tanning services member and two barber members. Mr. Taneff inquired about the building lease. Mr. Logsdon reported the office was looking at alternatives and working with the Ohio Department of Administration, Real Estate Division.
3. Mr. Logsdon reported that the agency's internet conversion was nearly complete. The remaining issues, he stated, appear to be aesthetics and navigation.
4. Next, Mr. Logsdon reported that the basic cosmetology examination updates were completed. Mr. Logsdon reported the next step is selecting a stakeholder group to serve as subject matter experts and test-takers to test the validity of the examination questions. Mr. Logsdon stated he hopes to be able to access examination readiness by mid-August.
5. Mr. Logsdon reported the agency completed its annual career tech overview on June 1, 2015 under the lead of Lori Pearson.
6. Last, Mr. Logsdon reported the inspection/violation guidance document group held its first meeting. He reported the meeting went well and the group was moving forward rapidly.

Discussion: Mr. Penzone inquired about the potential merger with the Barber's Board. Mr. Logsdon reviewed the budget process and stated he was concerned with one version of the budget bill coming from the Senate. Mr. Penzone inquired if the Barber's Board would be under the auspices of the Cosmetology Board. Mr. Logsdon indicated he did not know since he had not yet seen the actual language. Mr. Logsdon informed members that the conference committee version would contain the final recommendation. Mr. Hanks inquired about the proposed funding. Mr. Logsdon reported that the recommendation contained in the Senate version would cut the board's funds by 17% in FY 2017. Mr. Taneff inquired about the scope of the reduction. Mr. Logsdon reported the Senate recommendation would be a merger, budget reduction, and a zeroing of the Barber Board's budget.

Motion #3: Mr. Thompson moved to approve the Executive Director's report. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken - motion carried: 7 – Yes.

## **Agenda item #4: COMMITTEE REPORTS**

### **Agenda item 4a: Administrative Action Committee Report (Exhibit F)**

Mr. Taneff asked Mr. Logsdon to present the Administrative Action Committee (ARC) Report. Mr. Logsdon reported that the ARC met on May 28, 2015 to review case closures, current notices of opportunity for hearing and/or amendments. Mr. Logsdon reviewed each case listed in the ARC report

Mr. Taneff noted for the record that Dr. Gupta had arrived. Time of arrival: 1:14 P.M.

Motion #4: Mr. Penzone moved to confirm the Administrative Action Committee (ARC) Report, as referenced hereto by attachment to the minutes of the Board, and Mr. Taneff's actions taken on behalf of the Board contained therein pursuant to his authority under resolution #1, March 10, 2015. Ms. Osterhage seconded the motion. Discussion: Ms. Osterhage commended the committee and stated she believed the process appeared to be working well from her standpoint. No further discussion. Roll call vote taken - motion carried: 8 – Yes.

### **Agenda item 4b: Curriculum Committee Report**

Mr. Taneff asked Ms. Osterhage to report on the Curriculum Committee. Ms. Osterhage stated she had no report, but also want the record corrected to show she was not the chairperson. Ms. Osterhage stated the committee is co-chaired by Ms. Shepline and Mr. Hanks.

### **Agenda item 4c: License Taskforce Report**

Mr. Taneff asked Mr. Thompson to give a report on the License Taskforce. Mr. Thompson stated he had no report, but did state the committee was scheduled to meet on May 28, 2015.

### **Agenda item 4d: Violation Grid Workgroup Report**

Mr. Taneff asked Mr. Penzone and Mr. Hanks to give a report. Mr. Penzone stated he had nothing to report, but stated the group would be meeting again on June 17, 2015 and every month thereafter until complete.

Ms. Shepline asked to discuss the next meeting of the curriculum committee and proposed July 14, 2015 prior to the next board meeting.

## **Agenda item #5: PUBLIC TESTIMONY**

### **Open letter from Teresa Merriweather**

Ms. Merriweather introduced herself, and represented she was a provider of continuing education training on human trafficking. Ms. Merriweather commended the Board on providing training on human trafficking. Ms. Merriweather stated she provides a 45 – 55 minute training session for salons and schools on human trafficking. Ms. Merriweather informed the board that she is preparing to form an organization called Hand in Hand, which will help neglected individuals find direction and healing. Ms. Merriweather discussed her background. Ms. Merriweather stated that she is advocating a similar training in Virginia, which she stated should begin while individuals are students. Ms. Merriweather stated she was advocating for the Ohio Board of Cosmetology to require students to complete human trafficking training.

No further business.

**Agenda item #6 UNFINISHED BUSINESS**

None.

**Agenda item #7: OLD BUSINESS**

**Agenda item 7a: Tanning Consent Form (Exhibit G)**

Mr. Logsdon stated he was reintroducing the Tanning Consent form for approval. Mr. Logsdon stated the form had been vetted by the Office of Common Sense Initiative, which caused staff to take a second look at the form and reach out to the Ohio Dermatological Association for comment. Mr. Logsdon stated the organization and the staff reached an agreement on additional changes.

Motion #5: Ms. Osterhage moved to approve the amended Tanning Consent form, #COS023, and attached hereto as an exhibit. Mr. Hanks seconded the motion. Discussion: Mr. Hanks noted a typo. Dr. Gupta stated that during her photo therapy fellowship a patient was required to see a physician after so many visits to check for skin cancer due to the accumulative effect of radiation. Dr. Gupta inquired if something similar could be implemented for tanning services. Mr. Logsdon responded stating the consent form was designed in accordance with the provisions of Senate Bill 131 and that he was not aware of any provision that would allow the Board to consider the recommendation. Dr. Gupta encouraged Mr. Logsdon to think about the idea. No further discussion. Motion carried: 8 – Yes.

**Agenda item #8: NEW BUSINESS**

**Agenda item 8a: Hearing Examiner Report and Recommendation:**

None.

**Agenda item 8b: Correction to Previously Approved Orders, item #1 (Exhibit H)**

Motion #6: Ms. Osterhage moved to approve the corrections to Board Orders as listed as “Corrections Needed” on the COS-Issue Report NOV Business + Credential, dated May 26, 2015, specifically item #1, and the Order to be journalized and attached hereto as an exhibit. Ms. Shepline seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 8 - Yes.

The Orders of the Board shall become effective upon the date of mailing of the Order.

SO ORDERED

The language contained therein will be incorporated by reference into the Board's journal in this case and attached as an exhibit to the minutes.

**Agenda item 8c: Board Orders to Enforce Notice of Violation (Items #2 – #19) (Exhibit I collective)**

Motion #7: Ms. Osterhage moved to approve the Settlement Agreement Orders of the Board as listed on the COS-Issue Report NOV Business + Credential, dated May 26, 2015 as items #2 - #19 and the Orders to be journalized and attached hereto as an exhibit. The motion was seconded by Mr. Thompson. Discussion: None. Roll call vote taken. Motion carried: 8 - Yes.

The Orders of the Board shall become effective upon the date of mailing of the Order.

SO ORDERED

The language contained therein will be incorporated by reference into the Board's journal in this case and attached as an exhibit to the minutes.

**Agenda item 8d: Board Orders to Approve Settlement Agreements (Items #20 – #87) (Exhibit J collective)**

Motion #8: Ms. Osterhage moved to approve the Orders of the Board as listed on the COS-Issue Report NOV Business + Credential, dated May 26, 2015 as items #20 - #87 and the Orders be journalized and attached hereto as exhibits. The motion was seconded by Ms. Sheipline. Discussion: None. Roll call vote taken. Motion carried: 8 - Yes.

The Orders of the Board shall become effective upon the date of mailing of the Order.

SO ORDERED

The language contained therein will be incorporated by reference into the Board's journal in this case and attached as an exhibit to the minutes.

**Agenda item #9 EXECUTIVE SESSION**

None.

Before adjourning Ms. Osterhage inquired about progress on creating a report that would provide the board with a summary of violations data. Mr. Logsdon summarized the matter as an in process project. Mr. Logsdon stated the problem is the ability to retrieve data from the agency's system in a way that is sortable. Currently, he stated the report provides a block of text and not a specific indicator that can be sorted.

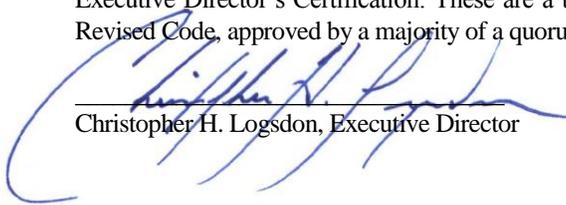
Ms. Osterhage stated that the list of violations appeared to be getting smaller. Mr. Logsdon responded that the review process is becoming refined and the ARC is one mechanism that carefully reviews matters before an issue moves forward. Ms. Osterhage commended the process.

**Agenda item #10 ADJOURNMENT**

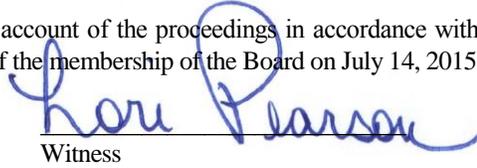
Motion #9: Ms. Osterhage moved to adjourn. Mr. Thompson seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 8- Yes.

The meeting adjourned at 1:36 P.M.

Executive Director's Certification: These are a true account of the proceedings in accordance with Section 121.11 of the Ohio Revised Code, approved by a majority of a quorum of the membership of the Board on July 14, 2015.



Christopher H. Logsdon, Executive Director



Witness