



GEORGIA STATE BOARD *of*
COSMETOLOGY AND BARBERS

237 Coliseum Drive - Macon, GA 31217
(478) 207-2440 www.sos.ga.gov/plb/cosmetology

**PROPOSED RULES HEARING
and BOARD MEETING
MINUTES
January 23, 2017**

The Georgia State Board of Cosmetology and Barbers met on Monday January 23, 2017 at the Professional Licensing Boards, 237 Coliseum Drive, Macon, GA 31217.

MEMBERS PRESENT

- Kay Kendrick, Chairperson
- David Jones, Vice Chairperson
- Betty Carlisle
- Jennifer Cheely
- Virgil Ergle
- Dana Love
- Philamenia Rivers
- Sarah Scott
- Belinda Sanders

STAFF PRESENT

- Andrew Turnage, State Director
- Sara Nasworthy Board Support Specialist
- Chris Jones, Licensing Analyst
- Sonya Williams PLB Legal Services Senior Staff Attorney
- Janet Jackson – Sr. Assistant Attorney General

Court Reporter

- Vanessa Cummings

VISITORS PRESENT

(During Executive Session, Visitors are excused unless scheduled for personal appearance)

- Eric Smith
- Jocelyn Ash, Atlanta Institute of Esthetics
- Hope Robinson, Atlanta Institute of Esthetics
- Jerry Gardner, Elite CME

PUBLIC PROPOSED RULES HEARING

Kay Kendrick, Chairperson, established a quorum was present and called the meeting to order at 9:45a.m.

PROPOSED RULES HEARING

PROPOSED RULE 240-3-.02

State Director Andrew Turnage read the Board's Proposed Rule 240-3-.02 in its entirety. State Director Turnage noted that the Board did not receive any public comments in writing regarding the proposed rule. State Director Turnage also noted that the Proposed Rule was a formalized rule that would ensure uniform application of the existing requirements for CE Providers by the Board for the previous registration period, and that CE would not be required for Barbers until 2018. The Board Members, State Director Andrew Turnage, and Board Attorney Janet K. Jackson answered questions from visitors Jocelyn Ash and Hope Robinson, Atlanta Institute of Esthetics, and Jerry Gardner, Elite CME, to clarify various provisions of the Proposed Rule.

David Jones made a motion to adopt the Board's Proposed Rule 240-3-.02, Virgil Ergle seconded, and the Board voted unanimously in favor.

ECONOMIC IMPACT OF THE PROPOSED RULE ON SMALL BUSINESSES

Board Attorney Janet Jackson asked the Board Chair Kay Kendrick about the economic impact of the proposed rules pursuant to O.C.G.A. § 50-13-4(a)(3)-(4). Specifically, the Board discussed whether the economic impact of the rules on small businesses could be reduced, where applicable, by establishing different reporting requirements, clarifying reporting requirements, establishing performance rather than design standards, or exempting small businesses from requirements of the rules. The Board also discussed whether the proposed rules imposed excessive regulatory cost or whether costs could be reduced by a less expensive alternative that accomplishes the objectives of the statutes forming the basis of the proposed rules. Betty Carlisle motioned, Sarah Scott seconded and the Board voted unanimously to accept the motion about the Economic Impact and submit the economic impact statement with the proposed rules.

ATTORNEY GENERAL MEMORANDUMS

Upon advice from the Board's Attorney Janet Jackson, Betty Carlisle made a motion to release and submit the Georgia Department of Law Memorandum of Authority for the Proposed Rule to the Governor's Office for a Certificate of Active Supervision per the requirements of HB 956. David Jones seconded, and the Board voted unanimously in favor.

The Board adjourned the Public Rules Hearing at 11:05 a.m. to convene a regular Board Meeting.

BOARD MEETING 11:06 A.M

Kay Kendrick, Chairperson, established a quorum was present and called the meeting to order at 11:06 a.m.

APPROVAL OF AGENDA

David Jones made a motion, Betty Carlisle seconded, and the Board voted unanimously to approve the January 23, 2017 Agenda.

MINUTES

The Board reviewed the Minutes from the December 19, 2016 Teleconference Board Meeting, David Jones motioned, Philamenia Rivers seconded, and the Board voted unanimously to approve the minutes with corrections.

FINAL DECISION FORM

David Jones made a motion to accept the Board Attorney's recommendations to revise the Final Decision form. Philamenia Rivers seconded, and the Board voted unanimously in favor.

REFERRAL TO INVESTIGATIONS FOR CEASE AND DESIST ORDERS

David Jones made a motion, Philamenia Rivers seconded, and the Board voted unanimously to refer pending Cease and Desist Orders to Investigations.

EXECUTIVE SESSION

Jennifer Cheely motioned, Philamenia Rivers seconded, and the Board voted unanimously to enter into executive session in accordance with O.C.G.A. §§ 43-1-2(k), 43-1-19(h), and 50-14-2(1), to deliberate on applications and complaint matters, and to receive information on applications, complaint reports, pending cases and the Attorney General's report.

At the conclusion of the Executive Session, Kay Kendrick declared the meeting to be "open" pursuant to the Open and Public Meeting Act, O.C.G.A. § 50-14-1 et seq. No Board votes are held during Executive Session.

OPEN SESSION – 11:30 a.m.

APPROVAL OF EXECUTIVE SESSION MINUTES

(Note: There were no Executive Minutes to approve for the meeting December 19, 2016.)

ATTORNEY GENERAL'S REPORT

David Jones motioned, Sarah Scott seconded, and the Board voted unanimously to accept the Attorney General's report as presented to the Board by Assistant Attorney General Janet K. Jackson with cases closed with the AG as recommended in Executive Session.

SUPERVISOR'S REPORT

Applicant #2654171 A.A.F. – Master Cosmetologist - Reinstatement
Reinstate License.

Applicant #2648701 T.A.P. – Esthetician - Initial

Refer to Legal services for a Consent Order to place license on probation to run concurrent with criminal probation.

Applicant #359176 E.M. – Master Cosmetologist - Renewal

Renew license upon confirmation from CE provider that license holder completed CE course as required.

David Jones made a motion to accept the Board’s recommendations regarding the Supervisor’s Report, Sarah Scott seconded, and the Board voted unanimously in favor.

CE PROVIDER AND CONTINUING EDUCATION COURSE FEES

The Board discussed setting the fee for CE Providers registering under the Board’s Proposed Rule 240-3-.02 CE Provider and Continuing Education Course. David Jones motioned, Betty Carlisle seconded, and the Board voted 6-2 to adopt a CE Provider Registration Fee of \$300, Philamenia Rivers and Belinda Sanders were opposed.

The Board discussed setting the fee for Continuing Education Courses under the Board’s Proposed Rule 240-3-.02 CE Provider and Continuing Education Course. The Board discussed reducing the fee for CE Providers and increasing the fee for additional and ‘stand-alone’ Continuing Education Courses that are not submitted with initial applications. Philamenia Rivers made a motion and Dana Love seconded, and the Board voted 7-0 to rescind the previous vote to set the CE Provider Registration Fee at \$300, Belinda Sanders abstained.

Following additional discussion, Philamenia Rivers made a motion to set the CE Provider Registration Fee at \$200. There was no second for the motion.

The Board Members deliberated setting the fees based upon a total concept with an emphasis on providers submitting complete packages when applying for CE Provider Registration. David Jones motioned, Sarah Scott seconded, and the board voted 7 to 1 to set the CE Provider Registration Fee for the provider package submitted at initial registration \$200, and the Continuing Education Course Registration Fee at \$50 for additional and ‘stand-alone’ courses. Belinda Sanders opposed.

The meeting adjourned at 12:30 p.m.

The next scheduled meeting of the Georgia State Board of Cosmetology and Barbers is:

**Monday, February 13, 2017
Professional Licensing Boards Division
237 Coliseum Drive
Macon, Georgia 31217**

Minutes recorded by:

Sara Nasworthy, Board Support Specialist

Minutes reviewed and edited by:

Andrew Turnage, State Director

Kay Kendrick

Kay Kendrick, Board Chair

Andrew Turnage

Andrew Turnage, State Director

These minutes were approved on: **February 13, 2017**