

OHIO STATE COSMETOLOGY AND BARBER BOARD

1929 Gateway Circle
Grove City, Ohio 43123

Board Meeting Minutes
July 14, 2020

Agenda item #1: CALL MEETING TO ORDER

Chairman Thomas Taneff called the meeting to order at 1:03 pm. The meeting was held via Microsoft Teams.

Agenda item 1a: Roll Call

- Mr. Thomas Taneff, Chairperson – present
- Ms. NeCole Cumberlander – present
- Mr. Luke Hanks – present
- Ms. Clara Osterhage – present
- Mr. Charles A. Penzone – not present
- Ms. Jessica Price-Kovach – present
- Mr. Kenji Prince -present
- Ms. Tasha Sheipline – present
- Ms. Kim Thomas – present
- Ms. Rowena Yeager- present
- Ms. Jennifer Wolfe, MSN, APRN, NP-C - present

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

Chairman Taneff led the Board, Executive Director, Margaret Rolf, Deputy Director, Lori Pearson, Program Administrator I, Lori Flanery, Board in-house Counsel, Charley Yaniko, Assistant Attorney General, Jahan Karamali, Barber Examination Manager, Ed Highley, and Information Technologist 3, Thomas Nguyen, and members of the general public in attendance in the pledge of allegiance.

Agenda item 1c: Approval of Meeting Agenda

The approval of the proposed meeting agenda was moved by Ms. Clara Osterhage and seconded by Ms. Rowena Yeager. Roll call was called.

- Mr. Thomas Taneff, Chairperson – yes
- Ms. NeCole Cumberlander – yes
- Mr. Luke Hanks – yes
- Ms. Clara Osterhage – yes
- Ms. Jessica Price-Kovach – yes
- Mr. Kenji Prince -yes
- Ms. Tasha Sheipline – yes
- Ms. Kim Thomas – yes
- Ms. Rowena Yeager- yes
- Ms. Jennifer Wolfe, MSN, APRN, NP-C - yes

Agenda item #2: APPROVAL OF PREVIOUS MEETING MINUTES

Agenda item 2a: Approval of Previous Meeting Minutes – May 12, 2020

Ms. Clara Osterhage moved for the approval of the May 12, 2020 meeting minutes and was seconded by Ms. NeCole Cumberlander. Roll call was called.

- Mr. Thomas Taneff, Chairperson – yes
- Ms. NeCole Cumberlander – yes
- Mr. Luke Hanks – yes

- Ms. Clara Osterhage – yes
- Ms. Jessica Price-Kovach – yes
- Mr. Kenji Prince -yes
- Ms. Tasha Sheipline – yes
- Ms. Kim Thomas – yes
- Ms. Rowena Yeager- yes
- Ms. Jennifer Wolfe, MSN, APRN, NP-C - yes

Agenda item #3: Officer and Staff Reports

Agenda item 3a: Report from the Chairperson

Mr. Thomas Taneff wished belated happy birthday to Board members Kim Thomas, Luke Hanks, and Charles Penzone. Additionally, he announced that due to state travel restrictions, Board meetings will continue to be operated in a virtual capacity for the time being. These same travel restrictions will also not allow the Board to be represented at national meetings this year. The Department of Administrative Services will be supplying the Board with cloth facial coverings for all employees and Board members in the near future. This is not to be interpreted as a return to business as usual. Staff will be mailing all Board members their facial coverings once received. Board member Kenji Prince will be attending the August 18th barber exam to see first-hand how recent changes to the exam are being implemented. Finally, Mr. Taneff thanked Deputy Director Lori Pearson and her team for preparing the office to resume testing and develop videos to assist the students on what changes to expect.

Agenda item 3b: Executive Director’s Report

Executive Director Rolf reported that the board ended the fiscal year with anticipated revenue down \$367,387 from budget. The reduction in revenue is contributed to COVID-19 because of no testing for three (3) months resulting in both exam fees and first-time personal license fees reduced. However, due to efficiencies employed throughout the year and cost reductions due to COVID-19, the agency was able to reduce expenses by \$449,180. An example of efficiencies employed is that all cosmetology licenses, including independent contractors and boutique service registrations will now be delivered in an electronic format saving on paper, printing and mailing costs.

In compliance with revised administrative rules that went into effect on July 5, 2020, certain cosmetology fees will see an increase starting on August 1, 2020.

At the January Board meeting, the Board passed a resolution to allow Mr. Walter Gonzales to retake his barber exam in Spanish. Mr. Gonzales has now completed the additional 200 education hours, as required by law, and is scheduled to retake his exam on July 27, 2020, which will be provided in Spanish.

Testing:

As of June 12, 2020, we had 1521 exams waiting to be scheduled. We are able to schedule 24 individuals daily following all social distancing guidelines set forward by the Ohio Department of Health. Given this we prioritized barber students who were test eligible as the law does not allow them to have work permits. For all other students who were test eligible, the exam scheduler became active on June 15 with individuals who had an exam cancelled when we halted testing being given first preference. At the last Board meeting, it was agreed to test barbers on the use of chemical products that are included as part of their scope of practice in the Ohio Revised Code. Following discussions with the barber schools, this testing will begin on January 1, 2021, to allow the schools to better prepare their students for this portion of the exam.

Legislation:

The current status and impact was provided for HB 263, HB 671, HB 673, and SB 329.

Schools:

A new cosmetology career technical school will be opening within the Kettering City Schools and two current schools, the Elite Academy of Hair Design and the Casal Avenda Institute, will be moving to new locations. Both are moving only a few miles from their current locations so should be able to continue to serve their current students.

Personnel:

Inspectors returned to the field on May 26, 2020, and examiners returned to the office on June 22, 2020 with testing resuming that same day. Examiner Chris Barton resigned from the Board effective July 10, 2020. Due to the state-wide hiring freeze, this position will not be posted.

An all-staff meeting will be held virtually on August 24, 2020. If any Board members would like to attend, please alert the Executive Director so an invite may be sent.

Finally, Ms. Rolf noted that she recently completed her first year as the Executive Director. She thanked the Board for their support and guidance. She also thanked the staff for the work they do to protect and support the public while protecting the integrity of the cosmetology and barbering industries.

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

Mr. Kenji Prince provided a report of the Curriculum Committee that met earlier in the day. A discussion took place about increasing the current emergency rule for distance learning that will expire on August 6 from up to 50% to 75%. This percentage is in line with the what NACCAS is permitting due to the COVID-19 pandemic. It was also discussed that since students are just getting physically back in school and that schools are required to maintain a social distance, many schools are resorting to staggered schedules of in the school and online training for students and the concern is that students will soon be out of the option for distance learning. It was also discussed that due to current requirements barber students would only be permitted to receive up to 600 hours of an 1800 hour program via distance learning.

The committee's recommendation to the board is to pass the resolution on the table with a change from the 50% to 75%. If passed, this resolution will be in place until December 31, 2020 or until the state of emergency is rescinded, whichever occurs first. It is also recommended to continue with the current recommendation for the permanent rule that will permit up to 20% distance learning education.

Mr. Luke Hanks provided a report of the Rules Committee that met earlier in the day. The Committee first conducted a discussion of distance learning during the COVID-19 emergency and discussed the resolution to be presented to the full Board on the issue. The Committee decided to recommend that the full Board adopt the resolution, but that the cap on distance learning under the resolution be increased from 50% of the total program hours to 75%.

The Committee next reviewed proposed amendments to rules 4713-5-01, 4713-5-02, and 4713-21-06. The Committee did not have any suggested changes to the amended rules.

Finally, the Committee reviewed a second resolution to be presented to the full Board regarding suspending the signature requirements on inspection reports during the COVID-19 emergency. The Committee decided to recommend that the full Board adopt the resolution as drafted.

Agenda item #5: Old Business

There was no old business.

Agenda item #6: New Business

Agenda item 6a: Rules for Consideration for Amendment

Mr. Luke Hanks moved to approve the proposed rules for amendment to 4713-05-01, 4713-05-02 and 4713-21-06 and Ms. Kim Thomas seconded. Roll call was called.

- Mr. Thomas Taneff, Chairperson – yes
- Ms. NeCole Cumberlander – yes
- Mr. Luke Hanks – yes
- Ms. Clara Osterhage – yes
- Ms. Jessica Price-Kovach – yes
- Mr. Kenji Prince -yes
- Ms. Tasha Sheipline – yes
- Ms. Kim Thomas – yes
- Ms. Rowena Yeager- yes
- Ms. Jennifer Wolfe, MSN, APRN, NP-C - yes

Agenda item 6b: Distance education resolution

Ms. NeCole Cumberlander moved to approve the Resolution to allow for up to seventy-five (75) per cent of an education program to be conducted via distance education until December 31, 2020, or until the Governor lifts the state of emergency, whichever comes first and Ms. Tasha Sheipline seconded. Roll call was called.

- Mr. Thomas Taneff, Chairperson – yes
- Ms. NeCole Cumberlander – yes
- Mr. Luke Hanks – yes
- Ms. Clara Osterhage – yes
- Ms. Jessica Price-Kovach – yes
- Mr. Kenji Prince -yes
- Ms. Tasha Sheipline – yes
- Ms. Kim Thomas – yes
- Ms. Rowena Yeager- yes
- Ms. Jennifer Wolfe, MSN, APRN, NP-C - yes

Agenda item 6c: Suspend inspection report signature requirement resolution

Ms. Clara Osterhage moved to approve the Resolution to waive the requirement of a signature from a representative of the facility on an inspection report until the state of emergency is lifted and Mr. Luke Hanks seconded. Roll call was called.

- Mr. Thomas Taneff, Chairperson – yes
- Ms. NeCole Cumberlander – yes
- Mr. Luke Hanks – yes
- Ms. Clara Osterhage – yes
- Ms. Jessica Price-Kovach – yes
- Mr. Kenji Prince -yes
- Ms. Tasha Sheipline – yes

- Ms. Kim Thomas – yes
- Ms. Rowena Yeager- yes
- Ms. Jennifer Wolfe, MSN, APRN, NP-C - yes

Agenda item 6d: Reciprocity Applicants Under R.C. Section 4709.08.

Ms. Kim Thomas moved to issue a barber license to Ms. Megan Chavez based upon the waiver of the requirements of Section 4709.08 of the Revised Code however, she must successfully pass the Ohio Barber examination and Ms. Rowena Yeager seconded. Roll call was called.

- Mr. Thomas Taneff, Chairperson – yes
- Ms. NeCole Cumberlander – yes
- Mr. Luke Hanks – yes
- Ms. Clara Osterhage – yes
- Ms. Jessica Price-Kovach – yes
- Mr. Kenji Prince -yes
- Ms. Tasha Sheipline – yes
- Ms. Kim Thomas – yes
- Ms. Rowena Yeager- yes
- Ms. Jennifer Wolfe, MSN, APRN, NP-C – yes

Agenda item 6e: Board orders to enforce notices of opportunity for hearing

Mr. Charley Yaniko explained that there were no notices for consideration due to the passage of HB 197 which became law. The legislation tolled all administrative deadlines until July 31, 2020. Therefore, all items are on hold until that time.

Agenda item 6f: Consent Agreement approval

Mr. Charley Yaniko explained that there were no notices for consideration due to the passage of HB 197 which became law. The legislation tolled all administrative deadlines until July 31, 2020. Therefore, all items are on hold until that time.

Agenda item #7: Executive Session

No executive session was held.

Agenda item #8: Committee Reports Cont.

Administrative Review Group

No report.

Agenda item #9: Public Testimony

Mr. Charley Yaniko addressed numerous questions received about whether our licensees may provide services where a mask cannot be worn (facials, facial waxing, shaves, beard trims, etc.) in counties, cities, or municipalities where masks have been ordered or mandated. Mr. Yaniko explained that the Board does not issue or enforce these orders/mandates and, therefore, cannot interpret or provide guidance on what may be permissible under such orders/mandates. It is recommended that if a licensee lives in one of these jurisdictions and has a question about whether they may provide a service where a customer cannot wear a mask, they will need to contact their local health department or seek their own legal counsel.

Agenda item #9: Adjournment

Ms. Rowena Yeager moved for adjournment and Ms. NeCole Cumberlander seconded. Roll call was called.

- Mr. Thomas Taneff, Chairperson – yes
- Ms. NeCole Cumberlander – yes
- Mr. Luke Hanks – yes
- Ms. Clara Osterhage – yes
- Ms. Jessica Price-Kovach – yes
- Mr. Kenji Prince -yes
- Ms. Tasha Sheipline – yes
- Ms. Kim Thomas – yes
- Ms. Rowena Yeager- yes
- Ms. Jennifer Wolfe, MSN, APRN, NP-C - yes

The Board adjourned at 1:33 pm.