

Cosmetologists' Board Meeting

Monday, June 3, 2024

A meeting of the State Board of Cosmetologists was held on Monday, June 3, 2024, at 10:00 a.m. by teleconference.

Board Member Attendees

(Vacant), *Chair, Cosmetologist Member*

Ms. Shanay Wiggs, *School Member*

Ms. April Kenney, *Cosmetologist Member*

Ms. Rosalind Hosley, *Cosmetologist Member*

Ms. Kelly Canty, *Consumer Member*

Mr. Maurice Fains, *Cosmetologist Member*

Other Staff Attendees

Ms. Nicole Fletcher, *Executive Director*

Ms. Breona Scott, *Assistant Executive Director*

Ms. Leslie Braxton, *Licensing Supervisor*

Ms. Fatmata Rahman, *Administrative Specialist III*

Mr. Jacob Guy, *Board Administrator*

Ms. Ashely Thompson, *Office Secretary*

Mr. Kenneth Sigman, *Advice Counsel*

Ms. Renee Robertson, *Continuing Education Coordinator (Absent)*

Ms. Karina Papavasiliou, *Inspector*

Ms. Danielle Anderson, *Web Content Coordinator*

Agenda

Quorum Announced, and Meeting Called to Order

A quorum was announced by Executive Director Ms. Nicole Fletcher and the meeting was called to order at 10:01 a.m.

Approval of Agenda

Executive Director Ms. Nicole Fletcher requested a motion to approve the June 3, 2024 agenda. Ms. Rosalind Hosley made a motion to approve the agenda, seconded by Ms. Shanay Wiggs, and the agenda was unanimously approved.

Approval of April 1, 2024 Minutes

The minutes of the April 1, 2024, meeting were reviewed by the Board. Executive Director, Ms. Nicole Fletcher asked for a motion to approve the minutes. A motion was made by Ms. Kelly Canty to approve the minutes, seconded by Ms. Rosalind Hosley and the motion unanimously passed.

New Business

A. OUT OF COUNTRY DISTANCE LEARNING PROGRAMS

Executive Director Ms. Nicole Fletcher spoke about the program that was introduced during the pandemic and reinstated in December 2022, allowing schools to incorporate distance learning into their curriculum. Executive Director Ms. Fletcher explained a specific inquiry from a student seeking to earn credit hours from a distance learning program based in Canada. Executive Director Ms. Fletcher asked the Board for their opinions regarding whether or not Maryland should accept such credit through reciprocity, and expressed her own concern over the practical portions of the training. Ms. Shanay Wiggs, was not in favor of approving the acceptance of such training hours and referenced Maryland's requirement for individuals with training from other countries to sit for the State Board exams. The Board unanimously decided to deny the request for acceptance of distance learning training due to concerns over practical training in a remote environment, as well as because of the requirement to take the exam in person and eventually provide services in person.

B. REGULATIONS FOR PROHIBITED SCHOOL SERVICES

Ms. Shanay Wiggs brought to the attention of the Board that certain schools are teaching

prohibited services. She went on to discuss that current regulations are geared towards sanitation and the inspection portion of compliance and are not adequate when it comes to outlining what curriculum should be taught. Executive Director Ms. Nicole Fletcher agreed that the language in some of the statutes could use some clarification, but suggested that it wait to be done until after the esthetics definition is officially changed on October 1.

C. SB 1044 COMMITTEE

Executive Director Ms. Nicole Fletcher talked about the need to form a committee to draft the language for the regulations of this statute. Mr. Maurice Fains and Ms. Shanay Wiggs volunteered to be the Board's representatives on the committee. The committee will also be evaluating prohibitions to make sure they do not contradict anything in the statutes.

D. LEGISLATIVE SESSION 2025 QUICKLIST

Executive Director Nicole Fletcher stated that the Division of Occupational and Professional Licensing had asked directors to provide a list of topics the Board may be interested in changing for the 2025 session. The list included the possibility of adding an advanced esthetics license, which is available in several other states. The possibility of a need for a makeup artistry license was also introduced by Executive Director Nicole Fletcher, as there are growing sanitation concerns. Ms. Shanay Wiggs elaborated on the makeup artistry certification program that currently exists and is regulated by MHEC, and explained that the Board of Cosmetologists does not regulate such services. Ms. Wiggs supports the idea of reinstating makeup artistry back to a licensure rather than a certification. Also on the list of topics introduced by Ms. Shanay Wiggs was the addition of a Natural Hairstylist license. Ms. Wiggs stated that that community has been dipping into the realm of regulated services, and there exists a need to ensure compliance in that space. Executive Director Nicole Fletcher and Ms. Rosiland Hosley both suggested that rather than establishing a new license category, these services could be lumped into the definitions of existing licenses of either a Blow Dry Specialist or a Limited Hairstylist. Web Content Coordinator Danielle Anderson then spoke about the need to be careful when granting added flexibility to an existing license as it runs the risk of opening a loophole for people to provide services that they are not actually qualified to perform. Ms. Leslie Braxton then brought up the issue of enforcement, and Executive Director Nicole Fletcher discussed the possibility of a grace period but then violators are going to need to be penalized. Ms. Leslie Braxton went on to discuss possible resistance from the industry to get on board with such changes and new language in license definitions. Ms. Rosiland Hosley responded by expressing the need to protect the industry as regulations are in place for the safety of patrons, and providing cosmetology services is a career and not an art. Executive Director Nicole Fletcher ended the discussion by stating that Maryland is

not going to follow trends of de-regulation that are happening in other states across the country.

Old Business

A. STAFFING UPDATES

Executive Director Nicole Fletcher stated that Kimberly Archie has resigned from the full time Inspector position. Ms. Archie was an Inspector for the Board for three years, and she was a great asset to the team. That position is now vacant and will be posted online soon. The Board also welcomes the newest Administrative Specialist Jacob Guy. He is a quick learner and also oversees the Apprenticeship Program. Ms. Trai Dagucon-Hunt has resigned from the Board due to other commitments, and she could no longer dedicate the appropriate time.

B. CHAIRPERSON VOTING

Executive Director Ms. Nicole Fletcher had previously contacted Board members regarding assigning a new Chairperson. Ms. Shanay Wiggs expressed interest and was nominated by Ms. Rosiland Hosley. The nomination was seconded by Ms. April Kenney, and the Board voting unanimously in favor of electing Ms. Wiggs.

C. LEGISLATIVE UPDATES

HB 383 and SB 27- Cosmetology Licensure Compact

The State of Maryland will be entering into the Cosmetology Licensure Compact. The purpose of this compact is to facilitate the interstate practice and regulations of cosmetology with the goal of improving public access to and the safety of cosmetology services and reducing unnecessary burdens related to licensure. Member states seek to establish a regulatory framework Board provides for a new multistate licensing program. The Cosmetology Licensure Compact has officially been enacted in seven states, which triggers its activation. The seven member states include Alabama, Arizona, Colorado, Kentucky, Maryland, Tennessee and Virginia. The compact is not yet active as the commission has just been finalized.

SB 629 - State Board of Cosmetologists - Membership - Alteration

This legislation amends the membership of the State Board of Cosmetologists by adding one licensed esthetician and decreasing the number of consumer members from two to one. The new law will take effect on October 1, 2024.

SB 1044-State Board of Cosmetologists- Esthetic Services- Definition

This legislation amends the definition of "provide esthetic services" to include additional services and to clarify that it does not include the diagnosis of illness, disease, or injury or performing ablation of the dermis or hypodermis. The new law will take effect on October 1, 2024. The Board has recently created a committee of subject matter experts and is presently working to draft regulations implementing the new law. Licensees will be given a reasonable grace period to come into compliance with the new law and regulations. The Board will not impose penalties for violations of the new restrictions on licensees' conduct during the grace period. Additional information regarding compliance will be forthcoming.

D. CONTINUING EDUCATION PROVIDER APPLICATION / PROGRAM UPDATE

HB 1600, which passed in 2018 and will go into effect January 1, 2025 will require 6 hours of continuing education for license renewal. Executive Director Nicole Fletcher encouraged people with an existing approval from MHEC to submit potential curriculum during open enrollment, which takes place October 1, 2024 - November 29, 2024. Executive Director Nicole Fletcher offered some reminders based on Continuing Education Coordinator Renne Robertson's experience during the previous open enrollment. These reminders included: please be responsive to requests for additional information, type and print applications and include check or money order in the mail, and to understand existing regulations and standards before submitting an application.

E. CURRICULUM APPROVAL

Executive Director Nicole Fletcher informed the Board that there was one curriculum approved for Special K Academy located at 440 Elmcroft Blvd in Rockville MD Unit 3407. The academy will be teaching Cosmetology, which is to include nail technician services, esthetician services, and hair services.

F. INSPECTION REPORT

Licensing Supervisor Ms. Leslie Braxton provided an Inspection Summary for today's meeting. The data was collected from March 29, 2024- May 31, 2024.

35	New shop applications received
13	New shops pending inspections - assigned
5	New shops pending inspections - to be assigned
12	Complaints received
2	Complaints - open / to be investigated
22	Complaints - inspections completed
376	Inspections conducted
178	Inspections passed
108	Inspections failed
2	Failed - new shop inspections
9	Failed - late renewal inspections
23	Failed - complaint / per Board inspections
90	Closed at time of inspection / Permanently closed

Public Comment

Dionne Blackledge- Ms. Blackledge spoke up to emphasize the importance of a grace period for enforcement of SB 1044. She stated that it should not be shorter than the length of an esthetics apprenticeship so that those already practicing have a chance to become compliant. Executive Director Nicole Fletcher replied by stating that there is a SB 1044 committee that will work with the Health Department to determine more specific regulations regarding esthetics. Ms. Blackledge also noted the importance of communicating changes to the industry and public, and the possibility of using social media to do so.

Adjournment

Ms. April Kenney made a motion to call the meeting to adjourn at 11:14 A.M, seconded by Mr. Maurice Fains.

APPROVED BY: _____ on July 1 , 2024.