

GRETCHEN WHITMER
GOVERNOR

# STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS LANSING

ORLENE HAWKS

## MICHIGAN BOARD OF COSMETOLOGY MAY 14, 2020 MEETING

## **APPROVED MINUTES**

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Cosmetology met on May 14, 2020. The meeting was held via Zoom, pursuant to Executive Order 2020-75.

## **CALL TO ORDER**

Linda Ward, Professional Member, Chairperson, called the meeting to order at 1:14 p.m.

#### **ROLL CALL**

**Members Present:** Linda Ward, Professional Member, Chairperson

Danielle Kruithoff, Professional Member (Arrived at 1:57 p.m.)

Cindy Straley, Professional Member Jaclyn Turner, Professional Member Scott Weaver, Professional Member Kathryn Wilkinson, Professional Member

Members Absent: Gabriella Abel, Public Member

Vanessa Cartwright, Professional Member

**Staff Present:** Kimmy Catlin, Board Support, Boards and Committees Section

Carla Chapman, Analyst, Compliance Section

Dena Marks, Analyst, Boards and Committees Section Michele Wagner-Gutkowski, Assistant Attorney General

#### APPROVAL OF AGENDA

MOTION by Weaver, seconded by Wilkinson, to approve the agenda with the removal of item 5B(5).

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays – None

**MOTION PREVAILED** 

## **APPROVAL OF MINUTES**

MOTION by Straley, seconded by Weaver, to approve the November 4, 2019 meeting minutes as presented.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays - None

MOTION PREVAILED

## **REGULATORY CONSIDERATIONS**

## PETITIONS FOR REINSTATEMENT

## Tiffany Kelly

MOTION by Wilkinson, seconded by Weaver, to discuss the matter.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Navs - None

MOTION PREVAILED

Discussion was held.

MOTION by Wilkinson, seconded by Straley, to grant reinstatement.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays - None

MOTION PREVAILED

## Thao Thi Ngoc Mai

MOTION by Weaver, seconded by Straley, to grant reinstatement.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays - None

**MOTION PREVAILED** 

## Linh Nguyen

MOTION by Weaver, seconded by Straley, to grant reinstatement.

Discussion was held.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays - None

## **MOTION PREVAILED**

#### Linda Sok

MOTION by Weaver, seconded by Wilkinson, to grant reinstatement.

Discussion was held.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays - None

**MOTION PREVAILED** 

## Hai Thi To

MOTION by Weaver, seconded by Straley, to grant reinstatement.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays - None

MOTION PREVAILED

#### **HEARING REPORTS**

MOTION by Straley, seconded by Wilkinson, to receive the Hearing Reports.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays - None

MOTION PREVAILED

## AZ Styles Inc. and Abdullah Zaid

MOTION by Straley, seconded by Wilkinson, to discuss the matter.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays – None

MOTION PREVAILED

Discussion was held.

MOTION by Straley, seconded by Weaver, to fine the Respondents \$7,500, jointly and severally, with \$3,750 due within 60 days of cosmetology shops being permitted to reopen and \$3,750 due within 120 days of cosmetology shops being permitted to reopen. If the fine is not timely paid, the licenses will be suspended for a minimum of one day until the fine is paid. Respondents are placed on probation for one year and will be subject to 3 unannounced random inspections. If Respondents fail the inspection(s), they will have 10 days to cure the deficiencies or be subject to a 30 day suspension.

Michigan Board of Cosmetology May 14, 2020 Page 4 of 9

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson, Ward

Nays - None

MOTION PREVAILED

## Pannos Salon and John Hanjiantoniou

MOTION by Straley, seconded by Wilkinson, to discuss the matter.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

MOTION PREVAILED

Discussion was held.

MOTION by Wilkinson, seconded by Weaver, to fine the Respondents \$4,000, jointly and severally, to be paid within 60 days of cosmetology shops being permitted to reopen. If non-compliant, the licenses will be suspended.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

MOTION PREVAILED

#### Koria Salon and Ikhlass Koria

MOTION by Wilkinson, seconded by Straley, to discuss the matter.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

MOTION PREVAILED

Discussion was held.

MOTION by Weaver, seconded by Wilkinson, to fine the Respondents \$4,000, jointly and severally, to be paid within 60 days of cosmetology shops being permitted to reopen. If noncompliant, the licenses will be suspended.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

MOTION PREVAILED

#### CONSENT ORDER AND STIPULATIONS

#### **Fabulous Nails**

MOTION by Straley, seconded by Wilkinson, to discuss the matter.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Nays – None Recuse – Ward

MOTION PREVAILED

Discussion was held.

MOTION by Straley, seconded by Wilkinson, to accept the Consent Order and Stipulation.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Nays – None Recuse – Ward

MOTION PREVAILED

MOTION by Wilkinson, seconded by Straley, to accept the Consent Orders and Stipulations as presented for the following:

Accent Hair & Body and Christi L. Landers

**Beauty Express Salons Inc.** 

C D Nails and Tuyet T. Le

**Yoke Chew** 

DX Nails & Spa LLC and Xuan Thi My Duong

EP Nails and Spa and Lynn Huynh Le

Fancy Nails 1 LLC and Tony Nguyen

**Barbara Hayes** 

Jasmine Nail LLC and Lynda Bich Hoang Nguyen

Jeffrey Donte aka Deante Jeffrey Yopp

Jessica and Company Salon and Jessica Janice Pesola

**Kool Nails & Spa and Duy Hung Nguyen** 

LA Nails and Truc Chanh Nguyen

Michael Lynch

McDoll Beauty Studio and Soo Kyoung Cheong

Mireya Beauty & Grooming LLC and Mireya Correa

**Nail Masters and Kelly Brechting** 

Nails by Kate aka Kate's Place and Kathleen M. Reid-Marietti

Tien Nguyen

**Pro Nails and Thanh-Dung Thi Nguyen** 

**Adrianne Rich** 

Michigan Board of Cosmetology May 14, 2020 Page 6 of 9

Salon Salon and Alicia Lynn Frechette Salon One Hair Studio Inc. and Bao Nian Wu Sapphire Nails and Than Thi Nguyen Sara's Nails & Spa and Sue Huynh Phan Visoth So

Spa Nails and Binh T. Dao

Star Nails and Nghia Khac Nguyen

Studio Nails and Charming Nails & Spa and Dung Ngoc Duong

The Crue and Emily Blaise Prow

The Jade Room

Tina Nails & Spa Inc and Thanh-Thuy Thi Le Tina's Hair Studio Faustina Bernal-Hernandez Top California Nails and Lyna Nguyen Ngo **Union Barber** 

**VIP Nails and Thao Phuong Nguyen** 

A roll call vote was held: Yeas - Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Navs - None

MOTION PREVAILED

## Eva Nails & Spa, Eva Nails & Spa 2 LLC and Honey Pham

MOTION by Straley, seconded by Wilkinson, to discuss the matter.

A roll call vote was held: Yeas - Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

MOTION PREVAILED

Discussion was held.

MOTION by Straley, seconded by Weaver, to reject the Consent Order and Stipulation.

A roll call vote was held: Yeas - Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

MOTION PREVAILED

## VIP Nails and Oanh Hong Le

MOTION by Straley, seconded by Wilkinson, to discuss the matter.

A roll call vote was held: Yeas - Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Michigan Board of Cosmetology May 14, 2020 Page 7 of 9

Nays - None

MOTION PREVAILED

Discussion was held.

MOTION by Straley, seconded by Weaver, to reject the Consent Order and Stipulation.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

**MOTION PREVAILED** 

## **OLD BUSINESS**

None

## **NEW BUSINESS**

#### **Elections**

Marks ran elections for Chair.

MOTION by Straley, seconded by Wilkinson, to elect Ward as Chair.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

MOTION PREVAILED

Marks ran elections for Vice-Chair.

MOTION by Ward, seconded by Weaver, to elect Wilkinson as Vice-Chair.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

**MOTION PREVAILED** 

## **Rules Discussion**

Marks explained the promulgation process as well as the need to open the rules after the current draft is promulgated.

Marks presented the Rules Committees recommendations.

Michigan Board of Cosmetology May 14, 2020 Page 8 of 9

MOTION by Straley, seconded by Weaver, to accept the Rules Committees recommendations regarding rule changes made in response to comments made at public hearing.

Discussion was held.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays – None

MOTION PREVAILED

MOTION by Straley, seconded by Wilkinson, to open the rules after the current draft is promulgated.

A roll call vote was held: Yeas – Kruithoff, Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

MOTION PREVAILED

**Chair Report** 

None

**Department Update** 

None

#### **PUBLIC COMMENT**

Molly Horton inquired if there will be a list of guidelines for the reopening of shops.

Marks advised that is not the Department or the Board's role.

Rachel Harned inquired about who would provide guidelines.

Wagner-Gutkowski advised that licensees check association webpages as well as the Governor's webpage.

Lauren Moser expressed concern on why the Board is not giving more guidance.

Wagner-Gutkowski advised it is not the Board's role and advised that the Board receives comments from the public during the public comment but will not discuss and answer questions.

Michigan Board of Cosmetology May 14, 2020 Page 9 of 9

Kasey Smith expressed concern and asked if information can be added into the rules.

Dawn Byers thanked the Board for all their work.

Nancy Ford thanked the Board for all their work.

David Gomel stated he appreciated the Board and expressed the importance of an open dialogue.

Kelley Killup thanked the Board for their work.

Ward thanked the public for their participation.

## **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held August 3, 2020 at 10:00 a.m. at 611 W. Ottawa Street, Upper Level Conference Room 3, Lansing, Michigan.

#### **ADJOURNMENT**

MOTION by Weaver, seconded by Straley, to adjourn the meeting at 3:18 p.m.

A roll call vote was held: Yeas – Straley, Turner, Weaver, Wilkinson,

Ward

Nays - None

MOTION PREVAILED

Minutes approved by the Board on August 3, 2020.

Prepared by:

Kimmy Catlin, Board Support Bureau of Professional Licensing

May 15, 2020