



# North Dakota

## STATE BOARD OF COSMETOLOGY

4719 Shelburne St. | Suite 1 | Bismarck ND 58503  
(701) 224-9800 | bocinfo@nd.gov | ndcosmetology.com

The North Dakota State Board of Cosmetology held a regular meeting on Monday, July 15, 2024, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

### Present:

D'Arlyn Bauer, Board President  
Maureen Wanner, Board Secretary  
Cindy Ripplinger, Board Member  
Emily Wilcox, Board Vice President

### Also Present:

Holly Blomquist, Executive Director  
Steve Hanson, Attorney  
Teresa Felch, Board Inspector  
Angie Schafer, Board Inspector  
3 Guests

Meeting called to order at 9:39 am.

#### **1. Approval of May 20 and June Regular & Special Meeting Minutes**

Minutes were not available for approval.

#### **2. Approval of Licenses 6/1/24-6/30/24**

Emily made a motion to approve licenses for June 2024. Maureen seconded the motion. All in favor, Motion carried.

#### **3. June 2024/Fiscal Year End Financial Statements**

Emily made a motion to approve financial statements for June 2024/Fiscal Year End. Maureen seconded the motion. All in favor, Motion carried.

#### **4. Election of Officers**

Maureen made a motion to have D'Arlyn to serve as President. Emily seconded that motion. Motion carried. D'Arlyn accepted that position.

D'Arlyn made motion to have Emily serve as Vice President. Maureen seconded. Motion carried. Emily accepted that position.

D'Arlyn made a motion to have Maureen serve as Secretary/Treasurer. Cindy

seconded the motion. Motion carried. Maureen accepted the position.

**5. Open Forum 9:45 am-10:00 am**

D'Arlyn opened the floor for comments at 9:48 am. No comment brought forth. She closed the floor for comment at 10:10.

**6. The Salon Professional Academy Complaint**

Holly received a complaint regarding lash extension removal. This person had gone in to get lash extensions removed. The student working on her did not use protective measures such as eye pads, and then found out the student did not offer the service or was not trained in that service. This person left 1.5 hours later with the lashes not removed and abrasions all around the eyes. Holly reached out to the school. School stated that each lash technician uses a different brand of lashes. The lash on this person were a different brand than what the school offers so there would be no guarantee the student could take off the lashes. This person signed waivers and was not charged a fee at the school. Due to the complaint, the school was inspected. They passed the inspection.

Emily made the motion to dismiss the complaint. D'Arlyn seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried. Steve was directed by D'Arlyn to send a letter to the complainant.

**7. HSI update & email from attorney Ben Thomas**

The discussion was on taking the public statement down from the website. Maureen made a motion to remove the statement off the website. Emily seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

Cindy made a motion to have Holly add information of disciplinary actions under schools on the website. Emily seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

D'Arlyn made a motion to allow HSI to advertise for the next class starting no sooner than the second full time instructor is employed which is August 19, 2024. Emily seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

**8. Casey Jo- Strip Club Beauty Lounge & Waxing Co**

Casey is working at Creative Elements Salon and Day Spa. She is advertising the Strip Club Beauty Lounge and Waxing Company, which is not a licensed salon, open for appointments. She also states her prices. She does not have a master license which disqualifies her for an independent salon license according to 43-11-13.

Maureen made a motion to place Casey Jo on a 6-month probation and have her turn her proper documentation. D'Arlyn seconded that motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

**9. Creative Elements Salon & Day Spa**

Creative Elements Salon & Day had an employee advertising as a salon. D'Arlyn made a motion to dismiss the complaint against Creative Elements. Emily

seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **10. Q Nails**

Invasive tools were being used during pedicure. And that she, the complainant, observed technicians sharing tools with other technicians without cleaning and disinfecting them in between. Passed inspection, dismiss due to lack of evidence. D'Arlyn made a motion to dismiss the complaint. Cindy seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **11. KK Nails by Jacob Le Disciplinary Action on Inspection**

An inspection was done by Cheryl. Two ladies providing services for clients. And they have no license posted. They were unlicensed workers. Owner stated that he had potential new hires stay and work because it got very busy at that time. Emily made a motion to fine KK Nails by Jacob Le \$500 payable within 45 days of the executed settlement agreement with a 6-month probation and a reinspection. Maureen seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **12. London Nails Complaint**

An anonymous complaint states that London Nails had unlicensed workers. London Nails are stating they have an employee that just cleans for them. Cheryl went back into inspection. She had done an inspection the week before. Passed them on that. And then she stopped back after the complaint. Cheryl said one of the family members was cleaning a foot spa. D'Arlyn made a motion to dismiss the complaint for lack of evidence against London Nails. Emily seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **13. Nail Deluxe Complaint**

An anonymous complaint states the Nail Deluxe has unlicensed workers. Nail Deluxe states that they always check license before hiring a nail technician. Inspection was June 12<sup>th</sup> and all technicians were licensed. There was also a reinspection done. Cindy made a motion to dismiss the complaint. D'Arlyn seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **14. Sky Nail Spa Disciplinary Action on Inspection**

Invasive tools found during inspection. They state it was never used on clients. They state it was one of their employee's tool. Maureen made a motion to give Sky Nail Spa a \$250 fine payable within 45 days of the executed settlement agreement with a 6-month probation and a reinspection for violation of 32-02-01-11 sub 17. Cindy seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **15. JC Nails Disciplinary Action on Inspection**

Invasive tools found during inspection. They state the tool was in storage from previous owner they purchased from in 2021.

Maureen made motion for a \$250 fine payable within 45 days of the executed settlement agreement with a 6-month probation and a reinspection for violation of 32-02-01-11 sub 17. D'Arlyn seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **16. Amy King Application**

Amy is applying for practical examination. She had checked the box for felony convictions.

Maureen made a motion to grant a conditional license until the end of 2024 upon passing her examinations. Emily seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **17. Adrienne Morris Application**

Adrienne is applying for practical examination. She had checked the box for felony convictions.

D'Arlyn made a motion to grant a conditional license until November of 2025 upon passing her examinations and all licensing requirements. Cindy seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **18. Miranda Nichols**

She is asking for board approval for instructor course. She is requesting the Milady program. D'Arlyn made a motion to deny this request on the grounds that it is inadequate. Maureen seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **19. Mercury- Disciplinary Action on Inspection**

Teresa did an inspection and found invasive tools, UV lights, and microneedling tools.

Maureen made a motion for a \$250 fine payable within 45 days of the executed settlement agreement with a 6-month probation and a reinspection for violation of 32-02-01-11 sub 17. Emily seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **20. NIC Conference**

Conference will be held in Salt Lake City this year.

Maureen made a motion to approve sending 5 board members and the executive director and if a board member cannot attend, substitute with an inspector to the NIC conference. Emily seconded the motion. All voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

#### **21. New Business**

##### **a. Attorney Letter with SA**

- The board is in need of rewrite the letter sent out with settlement agreements. Discussion only.

##### **b. Prov Exams**

- Law and theory exams. 1 location in the state to take exam in person. Also offered remote testing.
- There have been a few issues and Holly will be meeting with them to

- correct the details.
  - Discussion only
  - c. **Letter from Josef's School of Hair Skin & Body**
    - Student instructors, paid. They are wondering if it is an option to pay student instructors according to 32-04-01-22. They were looking for clarification.
    - Discussion only
  - d. **Jay Sheldon, LTC USARMY NG, Cosmetology Compact**
    - The objective is to support a smooth transition for military spouses into the workforce when moving to ND.
    - Discussion only
- 22. Unfinished Business**
- a. **FYI-Pending Settlement Agreements:**
    - **Amber @ Jazzy Stylz org. sent 2/15/24**
    - **Charley Rae's Hair Studio org sent 6/21/24**
    - **Antionette Hair Salon—signed, waiting for remodel reopening.**
      - Discussion only
  - b. **Continuation of proposed statutes & administrative rule changes**
    - Discussion only
- 23. Adjournment.** Maureen made a motion to adjourn the meeting. Cindy seconded the motion. Motion carried. Meeting adjourned at 3:33 PM.

The next regular meeting is scheduled for August 19, 2024, 2024, at 9:30 am.

Minutes submitted by Maureen Wanner.