



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

4719 SHELBURNE ST. SUITE 1
BISMARCK, ND 58503
TELEPHONE (701) 224-9800

The North Dakota State Board of Cosmetology held a special meeting on Wednesday, January 3, 2024 11:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Agenda

1. Legislative questionnaire

Emily made a motion for Holly to forward Legislative questionnaire. Teresa seconded that motion. All voting: Emily (y), Miranda (y), Teresa (y), D'Arlyn (y). Motion carried.

2. Kayle Duckwood reciprocity application

Teresa made a motion to have Kayle Duckworth take an additional 100 hours in Manicuring and Esthetics and an additional 76 hours to complete the requirements of 1500 hours and apply for the national theory exam, and North Dakota State Law and Rules and Regulations. Miranda seconded that motion. All Voting: Emily (y), Miranda (y), Teresa (y), D'Arlyn (y). Motion carried.

3. Administrative Admin position

Maureen made a motion to create a permanent position of Administrative Assistant Emily seconded that motion and offer it to Lisel. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

4. Inspector positions

D'Arlyn made a motion to approve inspector job description. Maureen seconded that motion. All Voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

Maureen made a motion to hire at \$22.12 per hour plus benefit package for full time and part time inspector position. Emily seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

Teresa made a motion to have Holly make correction in job posting and send it to Courtney prior to next board meeting. Emily seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

Maureen made a motion to adjourn the meeting. All voting 5 (yes), no (0). Meeting adjournment at 12:54pm.



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

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The North Dakota State Board of Cosmetology held a regular meeting on Monday, January 22, 2024, at 9:31 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Board members present:

D'Arlyn Bauer, PHD, RN, President
Maureen Wanner, Cosmetologist, Vice President
Teresa Felch, Cosmetologist, Secretary/Treasurer
Emily Wilcox, Cosmetologist
Miranda Stanley, RN, MSN, FNP

Also Present:

Legal Council, Austin Lafferty
Holly Blomquist, Executive Director

Agenda

1. Approval of December Meeting Minutes

Maureen made a motion to approve the meeting minutes from December. Teresa seconded that motion. Meeting votes: yes (5), no (0). Motion carried.

2. Approval of Licenses 12/1/23-12/30/23

Maureen made a motion to approve licenses for 12/1/23-12/30/23. Teresa seconded that motion. Meeting votes: yes (5), no (0).

a. Shelby Wood-yes for conviction

Teresa made a motion to approve Shelby's license. Emily seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

b. Alexis Branson-yes for conviction

Maureen made a motion to approve Alexis' license. D'Arlyn seconded. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

3. Review of Timesheets- December 2023

Maureen made a motion to approve timesheets for December 2023. Teresa seconded that motion. Meeting votes: Yes (5), No (0). Motion carried.

4. December 2023 Financial Statements

Maureen made a motion to approve December 2023 financial statements. Emily seconded that motion. Meeting votes; yes (5), no (0). Motion carried.

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

Salon Professional Academy requesting Instructor program for Nail and Esthetics be shortened. And for their testing of instructors requesting via zoom.

6. Prov-presentation on testing options

Presentation with Prov offering state law, theory, written practical, and remote testing. Holly will contact and get a full menu sheet for prices of all exams and what facilities are available for testing.

7. Hair by CK- DA on inspection

Teresa made a motion for 6 month's probation, and a \$250.00 fine violating 43-11-01, 43-11-35. Maureen seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried. Teresa made an ammendment to pay the fine within 30 days. Maureen seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

8. Antionett Hair Salon- DA on inspection

Maureen made a motion for 6 month's probation and a \$250.00 fine to be paid within 30 days, a reinspect during the probation period, include a date of shut down for a period of one day for a sanitation class. Teresa seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

9. Lisa Gunther- CE Hour requirement for reinstatement

Discussion to reinstate.

10. Milady Rise Educator Training Program (requests from Rachelle Sian, Myndi Johnson & Kamie Richardson)

Teresa made a motion to approve Myndi and Kamie to utilize the Milady Rise Educator Training Program for instructor training. Maureen seconded that motion.

11. Conviction on applications

- a. Paris Munn
- b. Jordyn Burner

Maureen made a motion to approve Paris Munn and Jordyn Burner application. Teresa seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y),

12. Reciprocity

- a. Vy Hong Kieu Nguyen -FL Full Specialist
- b. Vy Hong Truc Nguyen-FL Full Specialist

Maureen made a motion to approve the reciprocity for Vy Hong Kieu Nguyen and Vy Hong Truc Nguyen. Miranda seconded that motion.

- c. Binh Thanh Nguyen- International Application

D'Arlyn made a motion to approve Binh Thanh Nguyen application. Maureen seconded that motion.

- d. Thi Huyen Trang Nguyen-International Application

Maureen made a motion to approve Thi Huyen Trang Nguyen application. Teresa seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

- e. Amitaban Chaudhari- International Application

Teresa made a motion to approve Amitaban Chaudhari application. Emily seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

13. US DOJ letter regarding Active Military

Discussion only, waiting for updates from Austin

14. NDPERS Wellness Program

Maureen made a motion to approve a wellness program. Emily seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

15. New Business

- a. Resignations-Angie Seibel & Sheila Carlson

Holly to Remind inspectors to return any board materials.

- b. Exam Incident

Teresa made a motion candidate can pay and retake the exam at any time. Emily seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

- c. Emily made a motion to hire Betty Myer and Samantha Kessel as examiners. Miranda seconded it. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

- d. Teresa made a motion to approve Liliana Murtazaieva reciprocity application. Maureen seconded that motion. All voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

16. Unfinished Business

- a. Occupational Licensing Data request

Maureen made a motion to forward the data. Teresa seconded that motion. All

voting: Emily (y), Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

b. Beyond Nails

Discussion with Austin.

c. Continuation of proposed administrative rule changes

Salons

32-03-01-01 strike through 'on a form provided by the board

The board must be notified immediately on any establishment name change.

32-03-01-10 during regular establishment business hours.

1. Compliance must be located within a licensed establishment

32-03-01-14 1. The licensee must own or be an employee of a licensed establishment.

The next regular meeting is scheduled for February 12, 2024, at 9:30 am.

Maureen made a motion to adjourn the meeting. Emily seconded that motion. All voting; yes (5), no (0). Motion carried. Meeting adjourned at 1:07.



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

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The North Dakota State Board of Cosmetology held a regular meeting on Monday, February 12, 2024, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Board Members present:

D'Arlyn Bauer, PHD, RN, President,
Maureen Wanner, Cosmetologist, Vice President
Teresa Felch, Cosmetologist, Secretary/Treasurer
Miranda Stanley, RN, MSN, FNP

Absent board members:

Emily Wilcox, Cosmetologist

Also Present:

Legal Council, Austin Lafferty
Holly Blomquist, Executive Director

Agenda

1. Approval of January Regular & Special Meeting Minutes

Maureen made a motion to approve January special meeting minutes. Teresa seconded that motion. Meeting votes: Yes (4), No (0). Motion carried. Maureen made a motion to approve January regular meeting minutes. Teresa seconded. Meeting votes: Yes (4), No (0). Motion carried.

2. Approval of Licenses 1/1/24-1/31/24

Teresa made a motion to approve licenses for January. D'Arlyn seconded that motion. Meeting votes; Yes (4), No (0). Motion carried.

3. Review of Timesheets- January 2024

Teresa made a motion to approve January timesheets. Maureen seconded that motion. Meeting votes; Yes (4), No (0). Motion carried.

4. January 2024 Financial Statements

Miranda made a motion to approve January financial statements. Maureen seconded that motion. Meeting votes; Yes (4), No (0). Motion carried.

5. Inspector Meeting Recap

-Concern of new position of inspectors,

-How the board can communicate better with inspectors, Miranda commented to have Holly ask at their next meeting how the board can communicate better with inspectors.

-Inspectors have concern of public safety with bad inspections.

6. Open Forum 9:45 am-10:00 am

No discussion

7. Amber@ Jazzy Stylz DA Inspection

Teresa made a motion in accordance with 32-01-03-01, to fine Amber @ Jazzy Stylz \$250.00 and a 6 months probation and a reinspection within the 6 months. Maureen seconded that motion. All voting; Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

Maureen made a motion to pay fine within 60 days of settlement agreement. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

8. Studio Nails by Tu Tran LLC DA Inspection

Maureen made a motion in accordance to 43-11-13, 43-11-35 to fine Studio Nails \$500.00, 6 months probation, with a reinspect within the 6 months and fine to be paid within 60 days of settlement agreement. D'Arlyn seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

Teresa made a motion to dismiss the complaint of Nail Mosaic. Maureen seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

9. Arika Johnson Complaint

No action needed.

10. Savannah Spreeman Reinstatement Application-Conviction

Maureen made a motion to approve Savannah's application. D'Arlyn seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

11. Marcy Volk-Letter to the Board

Teresa made a motion to deny Marcy's request to wave the 50.00 fee. D'Arlyn seconded that motion. All Voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

12. Savannah Lende-conviction

Maureen made a motion to approve Savannah's application. Teresa seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

13. New Business

Maureen made a motion to dismiss the complaint of Salon Professional Academy. and to address Austin to send a letter of concerns in accordance with 32-04-01-09, 32-04-01-20, 32-04-01-21, 32-04-01-22, 32-04-01-23 and a follow up report due from the school to the board before the next board meeting on March 18th. D'Arlyn seconded that motion. All voting; Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

-Maureen made a motion to amend Hannah Hendricks settlement agreement to include new address and new salon license number. Miranda seconded that motion. All voting; Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

-D'Arlyn directed Holly to respond to a complaint on Eden's Medspa and table complaint until Holly sends and receives response.

14. Unfinished Business

a. Inspector position job posting

Maureen made a motion to move forward to advertise for the positions of the 2 inspector positions until filled with a minimum of 30 days.

b. Continuation of proposed administrative rule changes

Board members will continue to make proposed changes of rules.

Maureen made a motion to adjourn the meeting at 1:15pm. D'Arlyn seconded that motion. Meeting votes: Yes (4), No (0). Motion carried.

The next regular meeting is scheduled for March 18, 2024, at 9:30 am.



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 special meeting on Monday, February 26, 2024, at 10:00 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck N.D.

Board Members Present:

D'Arlyn Bauer, PHD, RN, President
Maureen Wanner, Cosmetologist, Vice President
Teresa Felch, Cosmetologist, Secretary/Treasurer

Absent Board Member:

Emily Woodcox, Cosmetologist
Miranda Stanley, RN, MSN, FNP

Also Present:

Austin Lafferty, Legal Council

Agenda

1. Vivienne Duong- Licensing

Maureen made a motion to revoke Vivienne Duong master Cosmetology License under 43-11-25 as it did not meet the requirements and was issued an error. D'Arlyn seconded that motion.

All voting: Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

2. Beyond Nails- Complaint

FYI No Action

Maureen made a motion to adjourn the meeting, Teresa seconded that motion. Meeting votes: Yes (3), No (0). Motion Carried. Meeting adjournment at 10:33.



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

4719 SHELburnE ST. SUITE 1
BISMARCK, ND 58503
TELEPHONE (701) 224-9800

The North Dakota State Board of Cosmetology held a regular meeting on Monday, March 18, 2024, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Board members present:

D'Arlyn Bauer, PHD, RN, President
Maureen Wanner, Cosmetologist, Vice President
Teresa Felch, Cosmetologist, Secretary/Treasurer
Miranda Stanley, RN, MSN, FNP

Absent board members:

Emily Wilcox, Cosmetologist

Also present:

Austin Lafferty, Legal Council
Holly Blomquist, Executive Director

Agenda

1. Approval of February Regular & Special Meeting Minutes

Maureen made a motion to approve the February 2024 meeting minutes. Teresa seconded that motion. Meeting votes: yes (4), no (0). Motion carried.

Maureen made a motion to approve the February 26, 2024 special meeting minutes. D'Arlyn seconded that motion. Meeting votes: yes (4), no (0). Motion carried.

2. approval of Licenses 2/1/24-2/29/24

Maureen made a motion to approve licenses for 2/1/24-2/29/24. Teresa seconded that motion. Meeting votes: yes (4), no (0). Motion carried.

3. Review of Timesheets- February 2024

Maureen made a motion to approve the timesheets for February 2024. Miranda seconded that motion. Meeting votes: yes (4), no (0). Motion carried.

4. February 2024 Financial Statements

Teresa made a motion to approve the February 2024 financial statements. Maureen seconded that motion. Meeting votes: yes (4), no (0). Motion carried.

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

No discussion

6. PSI testing presentation

Presentation on Relevant and effective testing, examples are eliminating unnecessary test topics and test barriers. Risk and conclusions study. 9 test sites in North Dakota. Online proctoring option. Support in deregulation topics.

7. Spectrum School of Massage and Esthetics

The board has received all information needed to move forward with school.

8. Josef's School of Hair, Skin & Body course approval

D'Arlyn made a motion to approve Josef's Nail course outline with a correction on page one with change on satisfactory percentages. Maureen seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

9. TSPA Curriculum change 1800 hours to 1500 hours

Maureen made a motion to approve TSPA curriculum change of hours to 1500 for cosmetology. D'Arlyn seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y), motion carried.

10. The Hair Academy Curriculum change 1800 hours to 1500 hours
Maureen made a motion to approve the Hair Academy's curriculum change from 1800 to 1500 hours for their cosmetology program. D'Arlyn seconded that motion. Teresa recused herself. All voting: Miranda (y), Maureen (y), D'Arlyn (y). Motion carried.

11. West 13th Salon- Janelle Finseth Complaint

Maureen made a motion to dismiss the complaint and direct council to send a letter. Miranda seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

12. Chelsie Erickson- Hair by CK

D'Arlyn made a motion to change the settlement agreement to 6 months probation and a reinspection and remove g from the recitals. Maureen seconded that motion. Meeting votes: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

13. Beyond Nails complaint

D'Arlyn directed Holly to have an inspector or Maureen complete an inspection before the next board meeting in April.

14. Vivienne Duong

Maureen made a motion to rescind the February 26th, 2024 motion to revoke Vivienne Duong master cosmetology license under 43-11-25 as it did not meet the requirements and was issued in error, and offer a settlement agreement with the items discussed, waiving the fee for manicurist license and grant master manicurist license, in exchange for voluntarily surrendering her master cosmetology license. D'Arlyn seconded that motion. Meeting votes: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

15. HSI

Maureen made a motion to direct Holly to send formal letter to HSI in regards to 43-11-16. Miranda seconded that motion. Meeting votes: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

16. Japanese Head Spa

Discussion only, FYI

17. Nonresponse to Letters from the board

a. My Salon Suite-nonrenewal- DA inspection report

Maureen made a motion to Table My Salon Suites until the next board meeting. Miranda seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

b. Bronzed and Blades- unlicensed salon-complaint

D'Arlyn made a motion to Direct council to send a formal letter to Bronzed and Bladed regarding 43-11-13. Maureen seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

c. Ultracuts Ltd- no master licensee on duty-DA inspection report

Maureen Made a motion in regards to 32-03-01-07 and offer a settlement agreement to fine Ultracuts \$250.00, that is paid within 60 days, 6 months probation, and a reinspection within 6 months. D'Arlyn seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

d. Thebeautyproject-Caylee Krien- unlicensed -new complaint

Teresa made a motion to direct council to send a formal letter to Caylee Krein, The Beauty project and the states attorney in regards to 43-11-13 operating without a license. Maureen seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

e. Shelly Sack-Eden Medspa- advertising as cosmetologist

Maureen made a motion to table Shelly Sack, Eden Medspa until the next board meeting. D'Arlyn seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

18. New Business

a. Tanner Steven's Resignation

FYI

- b. Shirley Nordstrom's Resignation

FYI

- c. Anh Tran- reciprocity app

Maureen made a motion that Anh Tran in accordance with 43-11-25 1b be granted her manicurist license. D'Arlyn seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

19. Unfinished Business

- a. Antionette's Hair Salon- closed for renovations

D'Arlynn made a motion to table. Holly will be calling for further information. Maureen seconded that motion. All voting: Miranda (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

- b. TSPA -follow up information requested by the board

FYI

- c. Continuation of rules review

Maureen made a motion for meeting adjournment. Miranda seconded that motion. Meeting votes: yes (4), no(0). Meeting adjourned at 1:08. Motion carried. The next regular meeting is scheduled for April 15, 2024, at 9:30 am.

The North Dakota State Board of Cosmetology held a special meeting on Friday, March 22, 2024, at 10:00 a.m. held at the board office, 4719 Shelbourne St., Suite 1, Bismarck ND.

Board Members Present:

D'Arlyn Bauer, Ph.D., RN, President
Maureen Wanner, Cosmetologist, Vice President
Teresa Felch, Cosmetologist, Secretary/Treasurer

Absent Board Member:

Emily Woodcox, Cosmetologist
Miranda Stanley, RN, MSN, FNP

Also Present:

Austin Lafferty, Legal Counsel
Holly Blomquist, Executive Director

Agenda

Antionette Hair Salon

Maureen made a motion to amend the offered settlement and state that Antionette is on a 6-month probation from the start date of opening. 30 days to pay the fine from execution of settlement. Promptly respond to board staff and inform the board of reopening with a sanitation class within 60 days of opening and include the day of closure for class, with a reinspection within 6 months of the start of probation.

D'Arlyn seconded that motion. All voting: Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

HSI

Maureen made a motion to initiate a complaint against HSI for being open when she told us she would be closed, and teaching courses without the required number of full-time instructors and to have Holly send a letter to HSI and ask for a response. D'Arlyn seconded that motion. All voting: Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

Vivienne Duong

Maureen made a motion to rescind the previous motion and issue a Master Manicurist license and waive fees for the license. Teresa seconded that motion. All voting: Maureen (y), Teresa (y), D'Alyn (y). Motion carried.

D'Arlyn made a motion for the adjournment of the meeting at 10:35. Teresa seconded that motion. Meeting votes: yes (3). NO (0). Motion carried

Meeting called to order April 10, 2024 at 10:00am

Board members present:

D'Arlyn Bauer, PHD, RN, President
Maureen Wanner, Cosmetologist, Vice President
Teresa Felch, Cosmetologist, Secretary/Treasurer
Emily Wilcox, Cosmetologist

Absent members:

Miranda Stanley, RN, MSN, FNP

Also Present:

Austin Lafferty, Legal Council
Holy Blomquist, Executive Director
Carolyn Laird, Research Assistant
Nathan Svihovec Labor Commissioner, Department of Labor and Human Rights

Informational meeting with Labor Commissioner, Nathan Svihovec.

Goal with the state is to remove barriers to licensure. If someone is licensed elsewhere, how can we get them licensed in North Dakota without barriers. OLAC has been part of this research.

The Questionnaire and answers is to get clarification and information on how our board functions. Then from this and discussion they will draft report and will get sent to the board. From there we as board will discuss and respond if needed.

The language is to have a solution as to how to get licensed within 3 days. The perception is licensed in one state is easy to licensure in another.

Question 9 Proof of licensure, who makes the assessment? How do you know? Holy has NIC state education and licensing guide which has other states requirements. Application comes to board Holy looks at application and data for licensure in our state.

Question online application? Holy responded we are in the middle of RFP process, which will become a statewide contract RFP with the OMB office. Looking at multiple vendors to accommodate the boards.

We scan applications into our data base and shredded.

Question 12 NIC for exams. What about North Dakota exam? Holy responded, we have a law and rules and regulations exam for North Dakota. What would be an example; What is the scope of practice, fees, etc. They are tested at a test site. Multiple choice exam. If someone comes from another state they can take the exam in other areas, states. There is an application to fillout to get themselves licensed in our state. requirements for licensure depends on information on application.

We responded with Numbers of licensed individuals; we are prompt to getting individuals licensed as long as we have all the correct information necessary to license in our state. The drawback is

waiting for other states. Because we require it come certified from the other state. Email has made it faster.

Transfer of licensure. Proper credentials to get licensed in North Dakota. Example we don't have licensure for Hair styling. We are proactive in giving information on what they need for specific license. If you are approved for reciprocity we accept all forms of payment, cash, check and credit card. The only online payment at this time is renewing their license. License verification is valid ID, birth certificate, passports. On application there is a question if there have been any violations. We might receive information from another state if a violation pertains to license.

Helpful would-be Pictures on licenses so a license can be matched person.

Some boards use this. Don't use good moral character. Grossly unprofessional conduct, what does this really mean. Suggest is to take it out of statutes.

Question 19 longest delay. Texas California and Florida. And if states have split the licensure, ex. Hairstyling. Or if a state has less than 1500-hour requirements. A Guess is 42 states of 1500 hours.

Question 20 length of time it takes for licensure. The applicant is responsible for contacting their board of licensure to get information to us. Is there a circumstance that Holly would contact the other board for them. Yes, if applicant has been having a challenge getting information.

How do they get licensed. When Application is complete, if certificate has come from other state. Once we have everything we need, it takes roughly a day or two. Applicant also has to apply for exams if needed. Payment received upon approval of application.

Question 21 temporary license? No at this time. One of the biggest reasons is Not having software to track. And one of the biggest hurdles is not getting information from other states to verify.

Question 25 Who has the authority to license? Executive director has the authority to license. If there is any challenge to licensing it is brought to the board before.

NIC is a resource and attend annual meeting.

NIC has 9 states that have joined the data base. There is legislation out there for compact licensure. Many variables between states. There are states that have barbering and cosmetology together.

Questions for study. How would administrative be paid for, for support services. A conversation Could the state create and host software that the state provides. Licensing software would hold the information state would request. As it is now, we don't have the software and time intensive to report.

It would be good to have software that the state could hold to have information for example

307 cosmetologists licensed from other states. 107 estheticians 416 manicurists from January 2018 to oct 23.

Apprenticeship licensure would be an option for licensure and help with barriers and we are looking into options.

Continuing education, Holly did research on 5 states requested. And Continuing education is not considered a barrier in North Dakota.

Maureen made a motion to adjourn the meeting, Emily seconded that motion. All voting Yes (4), no (0). Motion carried. Meeting adjourned at 11:28am.



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, April 15, 2024, at 9:32 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Board members present:

D'Arlyn Bauer, PHO, RN, President

Maureen Wanner, Cosmetologist, Vice President

Teresa Felch, Cosmetologist, Secretary/Treasurer

Emily Woodcox, Cosmetologist

Miranda Stanley, RN, MSN, FNP

Also Present:

Holly Blomquist, Executive Director

Austin Lafferty, Legal Council

Agenda

1. Approval of March Regular & Special Meeting Minutes

Emily made a motion to approve the regular meeting minutes for March 18th. Maureen seconded that motion. Meeting votes: Yes (5) No, (0). Motion carried.

Maureen made a motion to approve the special meeting minutes for March 22nd, Emily seconded that motion. Meeting votes: Yes (5), No (0). Motion carried.

2. Approval of New & Renewal Individual & Salon Licenses 3/1/24-3/31/24

Maureen made a motion to approve licensed for 3/1/24-3/31/24. Emily seconded that motion. Meeting votes: Yes (5), No (0). Motion carried.

3. Review of Timesheets- March 2024

Maureen made a motion to approve the timesheets for March 2024, Miranda seconded that motion. Meeting votes: Yes (5), No (0). Motion carried.

4. March 2024 Financial Statements

Emily made a motion to approve the financial statements for March 2024. Maureen seconded that motion. Meeting votes: Yes (5), No (0). Motion carried.

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

D'Arlyn opened open forum at 10:22. D'Arlyn closed the open forum at 10:37. No comments were made.

6. Eden Med Spa- Complaint

Anonymous Written complaint and phone call concerning Shelly Sack is practicing cosmetology in our state without a ND cosmetology License.

In reference to 43-11-13 License required and advertise the occupation of cosmetology.

Shelly's response is on the website all services are Listed. She advertises for the other renters and does not perform hair services herself.

Shelly is Licensed as a cosmetologist in South Dakota but not in North Dakota.

Shelly brought a copy of a rent check and Lease agreement with Dana Schank's signature and a Letter that was put on Shelly's door within Shelly's claim, is the same writing.

Shelly responded that she will publish that she is Licensed in South Dakota as a cosmetologist. And that she will List the services each person performs.

We as a board can only address the complaints brought to us.

Shelly performs cryotherapy in our state which you do not need a License for.

The first complaint is the implication of practicing cosmetology in North Dakota without a License, 43-11-13.

Teresa made a motion to forward the complaint to the State's Attorney, a letter in reference to the complaint and 43-11-13, License required in North Dakota.

Maureen seconded that motion. ALL voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

The second complaint is Eden Med Spa is not a licensed salon under 43-11-13. Emily made a motion to forward the complaint to the State's Attorney office, under 43-11-13, advertising without a salon License. D'Arlyn seconded that motion. ALL voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

7. Q Nails- Complaint

Anonymous complaint that QNails is using invasive tools and sharing tools without proper sanitation between uses. The inspection report Lists: No putting tools in pockets, Clean up pedicure and manicure tables. Cannot re-use tools, Label bottles. Report is marked for Reinspect.

Emily made a motion to dismiss the complaint about the use of invasive tools in reference 32-02-01-11 sub 17. Maureen seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

D'Arlyn made a motion to wait for the other portion of the complaint until a reinspection. Emily seconded that motion. ALL voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y).

Motion carried. Austin will send a Letter once reinspect has been complete

8. Posh Nails & Spa-Complaint

Expired Licenses have been renewed.

D'Arlyn made a motion to dismiss the complaint in reference to 43-11-13 license required. Emily seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

9. Beyond Nails- Complaint

Inspection passed; no invasive tools were found.

Miranda made a motion to dismiss the complaint in reference to 43-11-01, and 32-02-01-11. Maureen seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried. Austin will send letters to both Beyond nails and the person who sent the complaint.

10. Bronzed & Bladed- response to complaint

Kristin is a licensed cosmetologist but Bronzed and Bladed is not licensed.

The services are still listed on Facebook and website

D'Arlyn made a motion to forward complaint Reference 43-11-13 advertising occupation of cosmetology to states attorney office. Miranda seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

11. My Salon Suite-G.F.- DA on inspection

Disciplinary action on inspection because they are not currently licensed. They did send in renewal however did not include late fee, so the board office returned renewal application with note to include required late fee.

D'Arlyn made a motion to table until next month to give them time renew and pay late fee.

Maureen seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (Y), D'Arlyn (y). Motion carried.

12. Stephanie Cabezas- FL transfer of hours

Stephanie is requesting a transfer of hours from her esthetics and manicurist hours.

D'Arlyn made a motion to table and have Holly respond to Stephanie Under 32-04-01-07. Maureen seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

13. Hoa Thi Huynh-reciprocity-foreign applicant

Completed 1880 hours in cosmetology and has provided accreditation documents. Maureen made a motion to approve Hoa Thi Huynh reciprocity application. Emily seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

14. Salonson40th.complaint

Complaint about mouse infestation. Heather inspected and the salon looked clean. Traps are in place.

Emily made a motion to dismiss complaint for Salons on 40th. Maureen seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

15. HSI-complaints

- a. No meeting 2 full time instructors employed

b. Not maintaining accurate records

c. Grossly unprofessional conduct

Holly will send HSI new complaints.

D'Arlyn made a motion to table this discussion so we can give HSI and their attorney time to review additional complaints and could hold a special meeting. Maureen seconded that motion. Austin will stay in touch with their attorney. All Voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

16. NIC Exams & Bylaws recommendations

Discussion only, FYI

17. Macey Perius- misdemeanor marked on application

Maureen made a motion to approve application for A conditional license upon completing required exams. A conditional license until the date of completion of probation. Once she provides this completion the board will then grant license. Emily seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

18. Alayna Jordahl- Salon License

Emily made a motion that Alayna Jordahl, the new owner, apply for a new salon license. Maureen seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

19. Image U- complaint

D'Arlyn Made a motion to dismiss the complaint against Image U performing invasive services. Inspection passed; no evidence of invasive practices being performed. Emily seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

20. Inspector applicants

Teresa recused herself from this agenda item due to a conflict of interest, specifically, she had applied for and was a finalist for the Full-Time Inspector position.

D'Arlyn made a motion to recuse Teresa from discussion and voting on item #20. Maureen seconded that motion. All voted yes. Motion carried. Teresa chose to leave the room and Maureen took over the note taking.

The top three candidates for the Full-Time Inspector position were Cody Werbelow, Teresa Felch, Lori Emerson. Holly stated 2 rounds of interviews were conducted and gave an overview of the top three candidates. Holly stated that Teresa Felch would be her top pick. Discussion among board members was had.

Maureen made a motion to offer the position to Teresa contingent on her stepping down from the board and a new board member being appointed. Emily seconded that motion. All voted: Miranda (y), Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

The top three candidates for the Part-Time Inspector position were Kimberly Kopecky-Hart, Angela Schafer, and Val Reule. Holly stated 2 rounds of interviews were conducted and gave an

overview of the candidates stating that Angela would be her top pick. Discussion among board members was had.

Maureen made a motion to offer the position to Angela. Emily seconded the motion. All voted: Miranda (y), Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

21. Testing Vendor

Discussion on moving written theory and state law exams to Prov. Our contract with PSI expires June 30th. Discussion of getting good support with the vendors. Ask for a formal proposal. D'Arlyn Made a motion to direct Holly to pursue a proposal from PROV include questions such as Testing sites and that they do so, so that we can discuss by our May meeting. Emily seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

22. New Business

- a. Discussion on What type of identification is required for licensure.

Austin will research more on this. There is a pending application.

- b. Kimberly Wallace requesting licensure but is missing birth certificate on application. She has a real id from the state of North Dakota which would require additional forms of id to receive. Maureen made a motion to approve Kimberly Wallace's reciprocity application. D'Arlyn seconded that motion. Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

- c. Vivienne Duong is requesting the Board consider her years of industry experience as a manicurist and salon owner make up the difference in required schooling hours so she could obtain her cosmetology license by examination. Vivienne is a licensed Cosmetologist in CA but only has 1,000 hours of training.

D'Arlyn Made a motion to deny the request based on not enough hours and statute 43-11-21 Maureen seconded that motion. All voting: Miranda (y), Emily (y), Maureen (y), Teresa (y), D'Arlyn (y). Motion carried.

- d. The Guttery, Tabitha Omodt., application for salon license. But it is located on Grand Forks AFB. This location is not within our jurisdiction. Holly will send the application back.
- e. Do not have correct application for student instructor practical testing application for Alexandra Gallegos. Discussion. FYI
- f. Austin stated a request was made by Senator Judy Lee for a performance audit for cosmetology board at the Legislative Audit and Fiscal Review Committee meeting on March 21, 2024. Austin also stated Labor Commissioner, Nathan Svihovec, received a complaint regarding inspector position and board administration. Discussion only -FYI
- g. D'Arlyn made a request to move the May 13, 2024, discussion was had and meeting is moved to May 20, 2024

23. Unfinished Business

- a. Continuation of proposed administrative rule changes

D'Arlyn tabled until next meeting.

Maureen made a motion to adjourn the meeting. Emily seconded that motion. Meeting votes: yes (5), No (0). Motion carried meeting adjourned at 1:17 pm.

The next regular meeting is scheduled for May 20, 2024, 2024, at 9:30 am.



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

4719 SHELBURNE ST. SUITE 1 BISMARCK, ND 58503
TELEPHONE (701) 224-9800

The North Dakota State Board of Cosmetology held a regular meeting on Monday, May 20, 2024, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Present:

D'Arlyn Bauer, PHD, RN, President
Maureen Wanner, Cosmetologist, Vice President
Emily Wilcox, Cosmetologist
Cindy Ripplinger, Cosmetologist

Absent members:

Miranda Stanley, RN, MSN, FNP

Also Present:

Steve Hanson, Legal Council
Holly Blomquist, Executive
Director

D'Arlyn called to order at 9:34 AM.

Agenda

1. Welcome new Board member, Cynthia Ripplinger & new attorney, Steve Hanson

2. Vote for interim Board secretary

D'Arlyn made the motion to appoint Maureen to the Secretary position. Emily seconded the motion. Motioned carried.

3. Approval of April Meeting Minutes

Special meeting, a correction on page 2. Emily made a motion to approve the special meeting minutes. Maureen seconded the motion. Motion carried.

D'Arlyn brought forth a correction in number 22F.

Emily made a motion to approve the regular meeting minutes with correction to #22f, instructor to inspector. D seconded the motion. Motion carried.

4. Approval of Licenses 4/1/24-3/30/24

D'Arlyn made the motion to approve the licenses. Emily seconded that motion. Motion carried.

5. Review of Timesheets-April 2024

Maureen made a motion to approve the timesheets. D'Arlyn seconded the motion. Motion carried.

6. April 2024 Financial Statements

Emily made a motion to approve the financial statements. D'Arlyn seconded the motion. Motion carried.

7. Open Forum 9:45 am-10:00 am

D'Arlyn opens the floor up for public comments. D'Arlyn closed the forum at 10:02 no comments were made.

8. Nail Studio Complaint

The ND Board of Cosmetology has received information indicating that Nail Studio may employ unlicensed service providers who are providing nail services in the salon as well the salon may be following improper cleaning and disinfection rules. North Dakota requires nail service providers to be licensed. The inspection on April 24, 2024, found everything was satisfactory and Nail Studio did pass the inspection.

Maureen made a motion to dismiss the complaint against Nail Studio. Emily seconded the motion.

Meeting votes: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

9. Ilene Barragan- unlicensed providing services in home

The ND Board of Cosmetology has received a complaint indicating that Ilene Barragan may be performing manicure services in your home without proper licensure. North Dakota requires nail service providers to be licensed and services performed in a licensed salon.

Maureen made a motion to send this complaint to the State's Attorney in her area to review the complaint. D'Arlyn seconded the motion.

Meeting votes: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

10. Paige Kahle complaint

The ND Board of Cosmetology has received a complaint stating that Paige does not have credentials to do lashes. Paige is an RN at Eden MedSpa.

Maureen made a motion to dismiss the complaint against Paige because her practice falls under 43-11-02 #6. D'Arlyn seconded the motion. Meeting votes:

Emily (y), Maureen (y), D'Arlyn (y). Motion carried. Cindy has to leave the meeting.

11. Reciprocity

a. Yulia Palamarchuk- foreign

Yulia had her credentials verified through AEQUO.

Maureen made a motion to approve Yulia's application for manicuring. D'Arlyn seconded that motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

b. Tan Duy Nguyen- foreign

Tan had his credentials verified through SDR.
Maureen made a motion to approve Tan's application for manicuring.
Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

c. Lana Bui- PA-hours difference

Lana is applying for manicuring. She is short in school hours. 32-05-01-01.1 She's practiced for 2 years equating to 3160 hours. 43-11-01 #3
D'Arlyn made a motion to approve Lana's application for manicuring based on 32-05-01-01.1 and 43-11-01 #3. Emily seconded that motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

12. HSI complaint

Ben Thomas, HSI's Attorney, was recognized to address the board. He was allowed to address the items and complaints. He indicated that his client has done what she should to comply with the Board's laws, rules, and request. There was a typographical error in the records that he will have Ms. Kirkwood address.

a. Not meeting 2 FT instructors employed (2 complaints)

The North Dakota Board of Cosmetology has received information that HIS, cosmetology school in Williston, was operating with students present after they notified the Board they voluntarily closed until further notice due to not employing the required number of instructors. A letter was previously sent March 22, 2024, and the Board had not received a requested response.

b. Not maintaining accurate up to date records

The North Dakota Board of Cosmetology has received information that HSI may not be keeping accurate and up to date student records including curriculum hours.

c. Grossly unprofessional conduct

The North Dakota Board of Cosmetology has received several letters/emails regarding grossly unprofessional conduct.

D'Arlyn made a motion to table item 12 a, b, and c until a special meeting on Friday May 24, 2024, at 1:00 PM. Emily seconded the motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

13. Jessica Feisler curriculum card

Jessica has passed her exams to be license as an instructor. The hours on the curriculum card are in question.

D'Arlyn made a motion to approve Jessica's curriculum card. Emily seconded the motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

14. Alexandra Gallegos curriculum card

Alexandra is scheduled to take her exams tomorrow for instructor. The hours on the curriculum card are in question.

D'Arlyn made a motion to table this item and add it to the May 24, 2024 Special meeting. Maureen seconded that motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

15. Mary Stahura complaint

The North Dakota Board of Cosmetology has received complaint regarding grossly unprofessional and dishonest conduct.

Maureen made a motion to dismiss the complaint against Mary. D'Arlyn seconded the motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

16. Cynthia Gonzalez- HSI legal partnership

Ben Thomas, HSI's Attorney, was recognized to address the board. He was allowed to address the HSI legal partnership. He will be meeting with Ms. Gonzalez attorney this week.

Emily made a motion to keep Cynthia apprised of the complaints of HSI as they work through the civil suits until resolved since she is part owner of HSI. D'Arlyn seconded the motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

17. Kassidi Hennen- hours transfer

Kassidi wants to reenroll to Joseph's Fargo campus. School hours expire after five years if not completed. She is approaching that five-year mark.

Emily made a motion to allow Kassidi to enroll and not lose those hours previously done if enrolled prior to May 28, 2024. D'Arlyn seconded the motion.

Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

18. Stephanie Cabezas- hours transfer

Stephanie has a full specialist license for Florida which means she is an esthetics and manicurist. She is looking for how many hours would be approved for cosmetology school. Stephanie completed 600 hours of training for her Full Specialist license.

D'Arlyn made a motion to approve 100 hours in manicuring and 100 hours in esthetics towards her hour in cosmetology. Maureen seconded the motion.

Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

19. Prov proposal

D'Arlyn directed Holly and our Attorney to work on the contract and bring back the final draft for the board's final approval.

20. Becky Bjerklie letter to the Board

Becky brought forward ideas for education. Discussion only.

21. New Business

a. New office chairs

Maureen made motion for new office chairs. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

b. **Lena Lee. Reciprocity**

Emily made motion to approve Lena's application for reciprocity. D'Arlyn seconded that motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

c. **Summer hours.**

Maureen made a motion to have summer office hour starting June 1 and going until August 31 of every year. D'Arlyn seconded the motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

D'Arlyn made a motion to have the office closed on July 5, 2024. Emily seconded that motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

22. Unfinished Business

a. **New hire inspector training & teams voice**

D'Arlyn made a motion to approve the CLEAR training for the two new inspectors. Maureen seconded that motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

D'Arlyn made a motion to approve cell phone for the two inspectors instead Teams voice. Emily seconded that motion. Meeting votes: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

b. **Schedule special meeting for rules review**

Discussion only.

23. Adjournment

Maureen made a motion to adjourn the meeting. Emily seconded the motion. Motion carried. Meeting adjourned at 12:49 PM.

The next regular meeting is scheduled for June 17, 2024, at 9:30 am.



North Dakota

STATE BOARD OF COSMETOLOGY

4719 Shelburne St. | Suite 1 | Bismarck ND58503
(701) 224-9800 | bocinfo@nd.gov | ndcosmetology.com

The North Dakota State Board of Cosmetology held a special meeting on Friday, May 24, 2024, at 1:00 p.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D., also via zoom.

Agenda

D'Arlyn Called the meeting to order at 1:02 pm and opened with the following statement:

I want to welcome everyone and thank you for joining us today. As members of the North Dakota Board of Cosmetology, we are deeply committed to ensuring safety, sanitation and well-being of the general public, which is our charge from the state. Our work goes beyond enforcing rules. It is about safeguarding the health and the lives of the people we serve in North Dakota. First and foremost, it is important to us that everyone involved receives fair and due process. Our decisions will be based on the facts available to us and we depend on the honest and accurate documentation that is provided to the board. One key responsibility is overseeing the cosmetology schools. We take great care of approving the curricula these schools offer, ensuring they meet high standards, and provide students with central knowledge and skills. While we respect each school's anatomy in delivering the programs that are approved, it is the school's responsibility to ensure that students are adequately educated and complete the required hours of training. Once students have completed their training it becomes the board's responsibility to examine them to ensure they meet the minimum competency for the licenses they are seeking. Our mission is to make sure all licensed professionals are well trained and adhering, once they are licensed, to strict standards as set forth by the board, therefore creating safe environments for practitioners and clients. Today as we discuss our plans and actions, let's remember the importance boards work and the positive impact it has on the state. Our hearts and effort are focused on the students. Their education and future are our top priority. We are committed to working with the Hair Society Institute of Cosmetology to address these issues and to ensure the students receive the quality education they deserve.

1. Hair Society Institute of Cosmetology Complaints

- The North Dakota Board of Cosmetology has received information that HSI was operating with students present after they notified the Board that they voluntarily closed until further notice due to not employing the required number of instructors. Instructors: Currently 1 full-time, 1 part-time instructor is available only on Monday and Friday weekly
- The curriculum cards are not being kept current. The board is concerned about how HSI track hours and recorded. These are important documents that are proof of the hours completed for students take the states exams. The curriculum cards are to be updated and reported to the board monthly. The inspector will have the right to ask for update documents on students' hours of completion.
- Complaints from students regarding product delusion, sanitation and expired kits which can be looked at in an inspection, professionalism from instructors, behaviors of the owner, hostile school environment.
- The complaints are noted and are taking seriously, and the elements that are out of the board's jurisdiction will need to be filed in a civil suit.

Emily wants it noted that the board has spent a considerable amount of time on all the various unprofessional conduct complaints made by the students and formal staff and the seriousness of the complaints is noted by the board. The board regrets that they cannot address portions of the complaints since they are out of the board's jurisdiction and need to go through civil proceedings. The areas that can be addressed will be acted upon with a settlement agreement and reinspections.

- Student contract and handbooks. They should be submitted to the board office.

Emily made a motion to give HSI a one year probation and the conditions of the probation are that the board grant HSI temporary hour of operation of Monday and Friday 9:00 am – 4:30 pm until forty-five days after the settlement agreement is executed, no new classes until HSI is fully staffed according to 43-11-16, HSI will amended contracts with current students to reflect the hours of operation and new completion date, signed by HSI and student and submitted to the board office seven days of the execution of the settlement agreement, students will be given the option to discontinue with a prorated refund based on uncompleted hours, no contract overage fees as a result of the limited hours, the website, social media and all marketing reflect the changes, HSI will submit to the board current copy of the school handbook, \$1000 fine to paid within forty-five days of the signed settlement agreement, being inspected at least four times during probationary period in which the inspector can request copies of the student curriculum cards, keep the board informed of the accreditation process with the goal of achieving accreditation by end of probation period. HSI will submit an update report to the board by the 3rd of July. 34-04-01 11, 32-04-01 18.

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

2. Alexandra Gallegos curriculum card

- a. Leticia explains the delay in getting the hours to the board office. The hours she needs and hours she receives were discussed. Leticia explained the discrepancy in the hours and submitted the current hours. Alexandra stated that she studied every moment she could. Emily is asking for more information on her hours.

Maureen made a motion to table the discussion on Alexandra's curriculum card until the next special meeting. Emily seconded the motion. All voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

D'Arlyn made a motion to adjourn the meeting. Emily seconded that motion. Motion carried. Meeting adjourned at 4:04 pm.

The next regular meeting is scheduled for June 17, 2024, 2024, at 9:30 am.

Minutes submitted by Maureen Wanner



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 special meeting on Friday, May 24, 2024, at :30 p.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D., also via zoom.

Present:

D'Arlyn Bauer, PHD, RN, Board President

Maureen Wanner, Cosmetologist, Board Vice President, acting Secretary

Emily Wilcox, Cosmetologist

Not Present

Cindy Ripplinger, Cosmetologist

Miranda Stanley, FNP

D'Arlyn opens the meeting at 4:35 pm to discuss a public statement from ND State Board of Cosmetology Regarding Hair Society Institute of Cosmetology.

It is the board's intention to be as transparent as possible to the students and the public.

D'Arlyn made a motion to approve the following statement and have it published on our social media sites and website:

To Our Community,

We at the ND State Board of Cosmetology want to address recent concerns regarding the Hair Society Institute of Cosmetology. We understand this situation has caused some anxiety, and we want to assure everyone we are handling this matter with the utmost care and transparency.

It's important to us that everyone involved receives fair and due process within the scope of our authority. Our decisions are based on the facts available to us, and we depend on the documentation provided to be honest and accurate.

The ND State Board of Cosmetology is responsible for ensuring public safety, which includes overseeing schools and students to ensure adequate training. The students' education and future are our top priorities. We do not intend to close the school unless it becomes necessary due to continued non-compliance with required standards. We are committed to working with the Hair Society Institute of Cosmetology to address any issues and ensure that students receive the quality education they deserve.

The Board is addressing complaints that fall within our scope of authority, including the failure to maintain accurate and up-to-date student records, not employing the required number of full-time instructors, implementing temporary operating hours, and ensuring all student contracts are updated to reflect these temporary changes.

Regarding allegations of unprofessional conduct, it's important to note that the Board rarely has the authority to deem actions unprofessional unless a civil action has been taken against the school and they have lost the case.

We will take steps in the best interest of the students and the community while upholding the laws, rules and regulations of NDCC ch. 43-11 and NDAC Title 32. Thank you for your understanding and support as we navigate this challenging situation.

Emily seconded the motion. All voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried. Meeting was adjourned at 5:05 pm.



North Dakota STATE BOARD OF COSMETOLOGY

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

State Board of Cosmetology held a special meeting June 5, 2024, via zoom.

Present:

D'Arlyn Bauer, PHD, RN, Board President

Maureen Wanner, Cosmetologist, Board Vice President, acting Secretary

Emily Wilson, Cosmetologist

Cindy Ripplinger, Cosmetologist

Tina Bear, RN

D'Arlyn opened the meeting at 2:30 pm.

D'Arlyn explained the revised contract and asked for discussion.

Maureen made a motion to approve the contract for Prov Inc for testing services. Tina Bear seconded the motion. All voting: Maureen (y), Emily (y), Tina (y), Cindy (y), D'Arlyn (y). Motion carried.

Maureen made a motion to adjourn the meeting. D'Arlyn seconded the motion. Motion carried. Meeting adjourned at 2:40 pm.

Minutes submitted by Maureen Wanner



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 special meeting on Wednesday, June 12, 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, Interim Secretary
Emily Wilcox
Cindy Ripplinger

Not Present:

Tina Bear

Also Present:

Holly Blomquist, Executive Director
Steve Hanson, Legal Council

Maureen called the meeting to order at 9:30

1. HSI Settlement Agreement

HSI is proposing a revision to paragraph 3 with changes to temporary hours of operations. Monday and Friday 9-5 Tuesday and Wednesday 9-12. Cindy made a motion to accept the proposed revisions on the settlement agreement paragraph 3. Emily seconds the motion. All voting: D'Arlyn not present, Emily (y), Cindy (y), Maureen (y)

2. Alexandra Gallegos curriculum card

Questioning curriculum card hours. Logged hours 124 hours in school and 356 online CIMA hours Feb 6- Mar 11. Emily made a motion that Alexandra complete an additional 240 hours no more than 8 hours per day, 40 hours per week. Maureen seconded the motion. All voting: Emily (y), Cindy, Maureen (y), D'Arlyn (y)

3. Statutes and Administrative Rules Review

Discussion only.

D'Arlyn made a motion to adjourn the meeting. Maureen seconded the motion.
Meeting adjourned at 3:04

The next regular meeting is scheduled for June 17, 2024, 2024, at 9:30 am.



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, June 17, 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
Tina Bear, Board Member

Not Present:

Emily Wilcox, Board Member

Also Present:

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

1. D'Arlyn called the meeting to order at 9:36 am
2. Welcome New Board Members Cindy Ripplinger & Tina Bear
3. Approval of May Regular & Special Meeting Minutes
Second missing on item 21a. D'Arlyn requested reasoning for the motions in the minutes.
D'Arlyn made a motion to approve the minutes for the May 24th 1:00 pm meeting with corrections. Cindy seconded the motion. Motion carried.

Mauren made a motion to approve the minutes for the May 24th 4:30 pm. Tina seconded the motion. Motion carried.
4. Open Forum 9:45 am-10:00 am
D'Arlyn opened the floor for comments at 9:47 am. No comment brought forth. She closed the floor for comment at 10:09 am.

5. **Approval of Licenses 5/1/24-5/31/24**
Inspections are current. D'Arlyn made a motion to approve the licenses for May 2024. Maureen seconded the motion. Motion carried.
6. **May 2024 Financial Statements**
Maureen made a motion to approve the financial statements for May 2024. Cindy seconded the motion. Motion carried.
7. **Budget**
Holly provided budgets with and without the licensing software. She also made mention of the added money for the audit, office staff, legal fees.
D'Arlyn made a motion to approve the July 2024 to June 2025 budget with changes which are the increase of attorney fees of \$5400, and conference fees of \$2700. Maureen seconded the motion. Cindy (y), Tina (y), Maureen (y), D'Arlyn (y). Motion carried.
8. **Manicure Exam**
D'Arlyn brought up concern with question 4. She proposed a change. The board members received an email sent with that question and concern.
Maureen made a motion to approve the exam with the change. Tina seconded the motion. Cindy (y), Tina (y), Maureen (y), D'Arlyn (y). Motion carried.
9. **Van Dung Nguyen Reciprocity Application**
Van received his training in Pennsylvania. Pennsylvania requires 200 hours of training. He received that. He has worked since October of 2022, so he does not qualify for reciprocity under our rule. He had a temporary license since September from PA because that is what they issue for the first year. His actual license was issued in March 2023. He has 3017 hours of work. He will qualify under the rule 32-05-01-01.1 sub 3b.
D'Arlyn made a motion to approve Van's application for reciprocity with 200 hours of training in the nail tech program and 3000 hours of work experience qualifying under the rule 32-05-01-01.1 sub 3b. Cindy seconded the motion. Cindy (y), Tina (y), Maureen (y), D'Arlyn (y). Motion carried.
10. **Corissa Tetrault Exam Application**
Corissa checked yes for a conviction or arrest. She received a DUI.
Maureen made a motion to approve Corissa's exam application. Tina seconded the motion. Cindy (y), Tina (y), Maureen (y), D'Arlyn (y). Motion carried.
11. **Sandra Lynn Peterson Student Instructor Application**
Sandra checked yes for conviction or arrest. Steve reviewed her record with the board.
Maureen made a motion to approve Sandra's student instructors' application. Cindy seconded the motion. Cindy (y), Tina (y), Maureen (y), D'Arlyn (y). Motion carried.
12. **Kelly Olson Non-Licensed Salon**
Heather inspected the salon. Kelly is a licensed cosmetologist. She did not understand that she needed to license ⁱⁿ an assisted living home.

Maureen made a motion to place Kelly on a 6-months' probation for practicing without appropriate salon license according to 43-11-13 and Holly will send a letter to the facility. D'Arlyn seconded the motion. Cindy (y), Tina (y), Maureen (y), D'Arlyn (y). Motion carried.

13. Top Q Nails- Complaint

Heather did the salon inspection. The salon failed the inspection, and they had rasps. The owner was out of the country. An employee sent the board office a letter stating they were out.

Maureen made a motion to place Top Q Nails on a 6-months' probation with a \$250 fine for the invasive tools according to 43-11-01.8 and 32-02-01-11 sub 17, and a \$500 fine for the unlicensed according to 43-11-13 sub 2 worker equaling \$750 to be paid within 60 days upon execution of the settlement agreement and a reinspection. Tina seconded the motion. Cindy (y), Tina (y), Maureen (y), D'Arlyn (y). Motion carried.

14. Charley Rae's Hair Studio- Complaint

Angie received an email regarding a dog in a salon. It is an emotional support animal, not a service animal. Charley Rae was in the meeting and stated that part of the dog's duty is also to greet the clients.

D'Arlyn made a motion to place Charley Rae on a 6-months' probation to train her dog more appropriately according to 32-02-01-13, and a reinspection within the 6-months. Cindy seconded the motion. Cindy (y), Tina (y), Maureen (y), D'Arlyn (y). Motion carried.

15. Letters to States Attorney

We received information from Senior Assistant State's Attorney stating they do not investigate class B misdemeanors in Burliegh County we should be sending these letters to the local police department to be investigated by law enforcement agencies.

D'Arlyn made a motion to have Steve send the letters the board sent last month to the Burliegh County State's Attorney office to the local police department to be investigated by law enforcement agencies. Maureen seconded the motion. Cindy (y), Tina (absent), Maureen (y), D'Arlyn (y). Motion carried.

16. New Business

a. Lisel's pay raise.

Holly recommended a pay raise for Lisel.

Maureen made a motion to approve a pay raise for Lisel to \$22/hour starting July 1, 2024. D'Arlyn seconded the motion. Cindy (absent), Tina (y), Maureen (y), D'Arlyn (y). Motion carried.

17. Unfinished Business

a. Studio Nails

- i. Steve sent a follow-up letter. There is no signed settlement agreement, but Holly did receive their check for \$500 that was the fine.

b. Amber @ Jazzy Stylz

- i. Steve sent a follow-up letter.

c. Continuation of proposed administrative rule changes

i. Discussion only

18. Adjournment

Maureen made a motion to adjourn the meeting. Tina seconded the motion. Motion carried. Meeting adjourned at 2:46 pm.

The next regular meeting is scheduled for July 15, 2024, at 9:30 am.



North Dakota STATE BOARD OF COSMETOLOGY

4719 Shelburne St. | Suite 1 | Bismarck ND 58503
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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 12th 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, at 9:30 am.

Minutes submitted by Maureen Wanner.



North Dakota STATE BOARD OF COSMETOLOGY

4719 Shelburne St. | Suite 1 | Bismarck, ND 58503
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State Board of Cosmetology held a special meeting July 31, 2024, at 2:30pm via zoom.

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

1. HSI. Hours of Operation.

In the settlement agreement for HSI, the hours of operation were limited and temporary. This school will soon have full-time instructors.

Maureen made a motion to extend the current temporary hours until normal operating hours can resume with two (2) full-time instructors but no later than August 31, 2024. Cindy seconded that motion. All voting: Emily not present, Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

2. Full Monte Salon and Suite 140 Salon and Spa.

Tina Bear's medical license was revoked due to but not limited to injections done in the back room of salons. Holly reached out to the nursing board asking for the names of the salons involved in hosting these activities.

Maureen made a motion to initiate a board issue complaint against the salons The Full Monte and Suite 140 Salon and Spa, in Jamestown, for invasive procedures. Emily seconded that motion. All voting: Emily (y), Cindy not present, Maureen (y), D'Arlyn (y).

3. Adjournment.

D'Arlyn made a motion to adjourn the meeting. Maureen seconded that motion. Motion carries. Meeting adjourned at 3:15 pm.

Minutes submitted by Maureen Wanner.



North Dakota STATE BOARD OF COSMETOLOGY

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The North Dakota State Board of Cosmetology held a special meeting on Thursday, August 15, 2024, at 1:00 p.m. via zoom.

Present:

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

Also Present:

Holly Blomquist, Executive Director
Steve Hanson, Attorney

Agenda

Meeting called to order 1:02 p.m.

1. Holly received a certified letter containing a legal document requesting exempt employee information. Emily made a motion to release information and authorize Holly to fill out wage garnishment summons. Maureen seconded the motion. Voting: Emily (y), Cindy (y), Maureen (y), D'Arlyn (y) Motion carries.
2. Maureen made a motion to adjourn the meeting. Emily seconded. All in favor, motion carried.

Meeting adjourned 1:06 p.m.

The next regular meeting is scheduled for August 22, 2024, at 9:30 am.



North Dakota STATE BOARD OF COSMETOLOGY

4719 Shelburne St. | Suite 1 | Bismarck ND 58503
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The North Dakota State Board of Cosmetology held a regular meeting on Thursday, August 22, 2024, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Present:

D'Arlyn Bauer, PHD, RN, Board President
Emily Wilson, Cosmetologist
Maureen Wanner, Cosmetologist, Secretary/Treasurer

Also present:

Holly Blomquist, Executive Director
Steve Hanson, Attorney
Teresa Felch, Board Inspector
Angie Schafer, Board Inspector
Several guests

The meeting was called to order at 9:37.

Agenda

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

Several changes were made on the May 20 minutes.

Maureen made a motion to approve the May 20, 2024, minutes with changes. D'Arlyn seconded the motion. Motion carried.

Maureen made a motion to approve the June 5, 2024, special meeting minutes. D'Arlyn seconded the motion. Motion carried.

D'Arlyn made a motion to approve the June 12, 2024, special meeting minutes. Emily seconded the motion. Motion carried.

A typo was found and that will be corrected.

D'Arlyn made a motion to approve the June 17, 2024, minutes with change. Maureen seconded the motion. Motion carried.

There are several changes made.

Emily made a motion to approve the July 15, 2024, minutes with changes. Maureen seconded the motion. Motion carried.

D'Arlyn made a motion to approve the July 31, 2024, special meeting minutes. Emily seconded the motion. Motion carried.

2. Approval of Licenses 7/1/24-7/30/24

D'Arlyn made a motion to approve the July 2024 licenses. Emily seconded the motion. Motion carried.

3. July 2024 Financial Statements

Maureen made a motion to approve the July 2024 Financial Statements. D'Arlyn seconded the motion. Motion carried.

4. Open Forum 9:45 am-10:00 am

D'Arlyn opened the floor for comments at 9:49 am. No comment brought forth. She closed the floor for comment at 10:01 am.

- Miranda brought forth ideas to reduce the budget.
 - Half of the license expire in the middle of the year, the others due at the end of the year.
 - 1 inspector, inspect every other year
 - More vast members on the board

5. Leslie Roste- Cosmetology Compact

Discussion only.

- 6. Special Guests ND Military Commission- LTC Sheldon & Michelle Richart**
Was not present
- 7. Miranda Nichols Instructor Course Approval**
Miranda is a licensed Master Esthetician seeking approval on the Milady RISE Instructors course. She provided class credentials and outline, and her resume.
Maureen made a motion to approve the complete Milady RISE Instructors course for Miranda according 43-11-27. Emily seconded that motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.
- 8. Kathryn Conley Instructor Course Approval**
Kathryn is seeking to take the online instructor's RISE course through Milady. She only has over 3 years of experience so she will be taking 160-hour course.
D'Arlyn made a motion to approve the complete Milady RISE Instructors course for Kathryn according to 43-11-27. Emily seconded that motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.
- 9. Abigail Puklich Master Application**
Abigail is applying for her master esthetician license. She has worked 2 years, 1,236 hours. She provided check statements and screen shots of text messages between her and her employer. Her employer, Bare Medspa, refused to sign the affidavit. 43-11-26.
Emily made a motion to approve Abigail's master esthetician application based on the documents provided without the affidavit from her employer. D'Arlyn seconded that motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.
- 10. Benjamin Ohmann Application Approval**
Benjamin served time for a non-violent drug crime. He was incarcerated for 30 months. He is on probation for 4 years from the date of release. He finished his hours at The Hair Academy.
Emily made a motion to approve a conditional license upon passing all exams until date of completing probation at which time he will need to provide sufficient proof of release from probation to the board according 43-11-30. D'Arlyn seconded that motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.
- 11. Haley Suedel Conditional Approval of Application**
Information was provided from a school regarding Haley who has a felony conviction who is seeking an education in cosmetology. Looking for possibility of licensure after completing schooling. Discussion only.
- 12. Chong Tran Reciprocity Application- FL Full Specialist**
He holds a full specialist license which is Manicuring and Esthetician in Florida. He was licensed in 2021. Maureen made a motion to approve his application for reciprocity for a manicuring license. D'Arlyn seconded the motion. Voting: Cindy (y), Emily (y), Maureen (y), D'Arlyn (y). Motion carried.
- 13. Casey Crader Settlement Agreement Proposed Amendments**
Steve received proposed changes in the settlement agreement from Casey's attorney. Casey did obtain her master license and her independent licensee license prior to receiving the proposed settlement agreement and wished to have that condition removed.
D'Arlyn made a motion on the recommendation of our attorney to approve the proposed changes to the settlement agreement. Emily seconded the motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.
- 14. The Hair Academy Complaint**
A complaint was filed stating that the school was deducting 30 minutes for the students' hours if no lunch breaks were taken. The school states that they do not take that 30 minutes away from them if they were 'highlighted'. Also stating the school would book them with walk-ins over their scheduled lunch breaks. And a male student was making others uncomfortable, harassing others sexually. The school will handle this according to their policy.
Maureen made a motion to dismiss the complaint against The Hair Academy. Cindy seconded that motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.
- 15. The Hair Society Institute of Cosmetology Complaint**
There is a complaint stating complaints that have already been addressed. There were also complaints about the owner doing clients in the school. She stated that she was cutting her husband's hair. And the complaint states they were open when they should not have been.

D'Arlyn made a motion to dismiss the complaint against HSI for lack of evidence. Emily seconded that motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

16. Spectrum School of Massage & Esthetics Complaint

The school passed the inspection in March. Classes started in May 2024. The school was licensed on June 10, 2024. The instructor (Crystal Lomax) was not fully licensed until June 18, 2024.

They were opened and running an unlicensed school with an unlicensed instructor. The students were unaware of this. There are 7 students.

Maureen made a motion to approve the hours the students have gained since May 1, 2024. Emily seconded the motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

The school was operating without a license according to 43-11-13.

They employed an unlicensed instructor, 43-11-16 sub c.

The instructor was not present when students were at the school according to 43-11-16 sub g. and 32-04-01-21.

A student was teaching fellow students according to 32-04-01-23.

The students will be kicked out of the private rooms due to space. There is a massage business being run in the school according to 32-02-01-02 sub 2 and 3.

Maureen made a motion to place Spectrum School of Massage and Esthetics on a 3 years of probation with a minimum one inspection while each esthetics program is in progress, have Theresa hold a School Processes Review Class due within 45 days, provide an appropriate plan for program overlap of massage classes due within 7 days of execution of settlement agreement, and a fine of \$1000 to be paid within 45 days of execution of settlement agreement. Cindy seconded the motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

Maureen made a motion to grant the school the use of the classroom space adjacent to the school to be used until current esthetics class is finished. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

Maureen made a motion to amend the settlement agreement to remove the massage business from the school. Emily seconded the motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

Maureen made a motion to grant Rachelle's hours completed of the esthetic program at 350 hours. D'Arlyn seconded that motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

Emily made a motion to table the discussion of Rachelle's licensure until she applies for licensure. D'Arlyn seconded that motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

D'Arlyn made a motion for a board issue complaint against Crystal Lomax for teaching without a license. Emily seconded that motion. Voting: Emily (y), Maureen (y), Cindy (y), D'Arlyn (y). Motion carried.

Meet was paused at 2:30
Meeting called to order at 2:52

17. Ali Nails and Spa Complaint

The board received a complaint of sanitation violations. Passed the inspection.

D'Arlyn made a motion to dismiss the complaint due to insufficient evidence. Emily seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

18. Nail Studio Complaint

Unlicensed employees. Passed inspection on July 23, 2024. No unlicensed employees found.

D'Arlyn made a motion to dismiss the complaint due to insufficient evidence. Emily seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

19. The Full Monte Complaint

Board issued complaint. Tina Bear admitted to administering Botox at the salon. Angie reviewed the inspection with Ariel from the salon. They discussed the complaint of medical services being done at the salon. Ariel stated that they have rented rooms out to others who may have done the injections.

Maureen made a motion to dismiss the complaint due to insufficient evidence. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

20. Suite 140 Salon & Spa Complaint

Board issued complaint. Tina Bear admitted to administering Botox at the salon some time ago. Angie reviewed the inspection with Shauna from the salon. They discussed the complaint of medical services being done at the salon.

Maureen made a motion to dismiss the complaint due to insufficient evidence. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

21. Elana K Photography Complaint

A complaint stating that stylist doing hair and makeup in the photo studio. Elana K says she contracted stylist to do hair and makeup. Holly asked them to provide a list of salons and stylists that they contract.

D'Arlyn made a motion to dismiss the complaint due to insufficient evidence. Maureen seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

22. Bailey Hennager Complaint

The Board received a complaint against Bailey advertising that she does hair and makeup outside the salon. She has her Master Cosmetology license. She does not work at a salon. She is just advertising her services, not as a salon business. It would be practicing outside of salon according to 32-03-01-14.

Maureen made a motion to dismiss the complaint due to insufficient evidence. Emily seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

23. Trendy Nails and Classy Nails, owned by the same person. Disciplinary Action on Inspection & Complaint
Trendy Nails:

Inspection was done on June 24, 2024, and the inspector found wax resulting in a reinspection recommendation. The inspector went back for a reinspect and she found there was no Master licensee on duty on July 16, 2024. They rectified that the next day. On July 30 she went in to inspect due to a complaint from the Health Department regarding someone wanting money back because a client developed a fungal infection. They passed on July 30th.

D'Arlyn made a motion to dismiss the complaint from the Health Department due to insufficient evidence. Emily seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

D'Arlyn made a motion to place them on a 6 months' probation with a reinspection for being open without a master licensee according to 32-03-01-07. Emily seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

Classy Nails:

D'Arlyn made a motion to dismiss the complaint due to insufficient evidence of unlicensed workers. Emily seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

24. La Belle Nails LLC Disciplinary Action on Inspection

They employ a cosmetologist, but not a Master Cosmetologist. They have a Master Manicurist. There was a wax pot on in a room with a bed in the room. They stated they were just doing waxing on themselves. Emily made a motion to place La Belle on a 6 months' probation with a \$250 fine payable within 45 days of execution of the settlement agreement, a reinspection, having them remove the waxing and the advertising of waxing from the website according to 43-11-13, and hire a Master Cosmetologist to oversee the cosmetologist according to 43-11-15 and 32-03-01-07. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

25. Lavish Nails Disciplinary Action on Inspection

There is a complaint about unlicensed employees. No unlicensed employees found. They had waxing supplies on site, wax pot plugged in but not on but portable. They were found doing esthetic services without proper license.

Emily made a motion to place Lavish nails on a 6 months' probation and a reinspection due to waxing supplies found on site and they are to remove the supplies until a Master Cosmetologist or Master Esthetician is employed according to 32-03-01-07. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

D'Arlyn made a motion to dismiss the complaint of an unlicensed employee due to insufficient evidence. Maureen seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

26. Pro Nails Spa Disciplinary Action on Inspection

Inspected May 22 by Heather. 3 employees got up and left clients and walked out the backdoor. The owner admitted that they were unlicensed. They did not have a response to that complaint. Holly had Teresa do

a reinspection, several employees got up and left clients.

D'Arlyn made a motion to place Pro Nails on 6 months' probation, \$500 fine to be paid within 45 days of execution of the settlement agreement and a reinspect according to 43-11-13. Emily seconded that motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

27. Lucky Nails Disciplinary Action on Inspection

During the inspection, a mattress was found in the back room for sleeping. The owner says it is for the kids when they come to the salon, a "private office" listed on the office door, and UV light the owner states is for storage. Sufficient means of disinfection was present in salon. There needs to be separate space according to 32-02-01-02.

Maureen made a motion to dismiss the disciplinary action recommended from the inspection due to insufficient evidence. Emily seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

28. Bling Nail & Spa Disciplinary Action on Inspection

During an inspection waxing supplies were found but unplugged. They stated that they no longer have someone to perform the services.

D'Arlyn made a motion to place Bling Nails on a 6 months' probation due to waxing supplies found on site and they are to remove the supplies until a Master Cosmetologist or Master Esthetician is employed and to have a reinspection to be done according to 32-03-01-07. Maureen seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

29. Infinite Art Nails Disciplinary Action on Inspection

There were invasive tools found on site during an inspection.

D'Arlyn made a motion to place Infinite Art Nails on 6 months' probation with a \$250 fine to be paid within 45 days of the execution of the settlement agreement and a reinspection according to 43-11-01 sub 8; 32-02-01-11 sub 17. Emily seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

30. Nail Concepts Disciplinary Action on Inspection

There were invasive tools found on site during an inspection. The owner has tossed out the invasive tool that was given to them by an educator.

D'Arlyn made a motion to place Nail Concepts on 6 months' probation with a \$250 fine to be paid within 45 days of the execution of the settlement agreement and a reinspection according to 43-11-01 sub 8; 32-02-01-11 sub 17. Maureen seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

31. Lovely Nails and Spa Disciplinary Action on Inspection

They are not on disciplinary actions currently. They have been on disciplinary actions in the past. There were invasive tools found in the trash that the inspector saw the worker toss in, and another one in the storage area.

Maureen made a motion to place Lovely Nails on 6 months' probation with a \$250 fine to be paid within 45 days of the execution of the settlement agreement and a reinspection according to 43-11-01 sub 8; 32-02-01-11 sub 17. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

32. Top Nails by Emily Disciplinary Action on Inspection

There were invasive tools found on site during an inspection. Owner states that she uses it on her husband.

Maureen made a motion to place Top Nails by Emily on 6 months' probation with a \$250 fine to be paid within 45 days of the execution of the settlement agreement and a reinspection according to 43-11-01 sub 8; 32-02-01-11 sub 17. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

33. Glitz & Glam Nails Disciplinary Action on Inspection

There were invasive tools found on site during an inspection. She stated she has it for her own use.

D'Arlyn made a motion to place Glitz & Glam Nails on 6 months' probation with a \$250 fine to be paid within 45 days of the execution of the settlement agreement and a reinspection according to 43-11-01 sub 8; 32-02-01-11 sub 17. Maureen seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

34. Heaven Nails Spa Disciplinary Action on Inspection

There were invasive tools found on site during an inspection. The owner states that she will throw it away.

Maureen made a motion to place Heaven Nails on 6 months' probation with a \$250 fine to be paid within 45 days of the execution of the settlement agreement and a reinspection according to 43-11-01 sub 8; 32-02-01-11 sub 17. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

35. AG Professional Licensing Board Training

Training is October 15, 2024, in person and online.

Maureen made a motion to pay up to 5 board members to attend the AG Professional Licensing Board Training. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

36. OMG! Salon

During a routine inspection, it was found that there was a new owner, Thi Nguyen Die Mai, who is a licensed Master Manicurist, and workers from other salons who are also licensed. They will be getting duplicate licenses for the workers that work in multiple locations. This is an unlicensed salon currently. The owner is operating a salon without a license according to 43-11-13.

Maureen made a motion to place OMG! Salon owner Thi Nguyen Die Mai, license #MA 486, on a 6 months' probation with a \$1000 fine to be paid within 45 days of the execution of the settlement agreement, a reinspection and to have the salon application completed along with payment within 30 days. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

37. Hair by 201

A call was made to Holly with some questions: How to create a separation between her two businesses, a medi spa and hair salon and if the board would offer a conditional salon license so she can open Hair by 201 Salon as a separation will take time to construct? The Board determined a hallway was not sufficient separation between businesses where invasive procedures were being performed. There would need to be a door or wall separation. 43-11-01 sub 8 & 19; 32-02-01-11 sub 17.

Maureen made a motion to approve a conditional salon license for 3 months so they can get a door added to create separation between the 2 businesses. D'Arlyn seconded the motion. Voting: Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

38. New Business

- Samatha Kessel is employed by the board as an examiner and was arrested but all charges were dropped. She wanted to inform the board. Discussion only.
- Laws committee. Determined that since all board members wanted to participate no need for committee so Special Meetings will be used instead of a special committee.

39. Unfinished Business

- a. FYI-Pending Settlement Agreements:
 - i. Amber @ Jazzy Stylz org. sent 2/15/24
 - a. Undelivered certified letter was returned
 - b. Holly will send on letter with the inspector
 - ii. Charley Rae's Hair Studio org sent 6/21/24

40. Adjournment.

Maureen made a motion to adjourn the meeting. Emily seconded the motion. motion carried. Meeting adjourned at 5:45 pm.

The next regular meeting is scheduled for September 16, 2024, at 9:30 am.



North Dakota STATE BOARD OF COSMETOLOGY

4719 Shelburne St. | Suite 1 | Bismarck ND58503
(701) 224-9800 | bocinfo@nd.gov | ndcosmetology.com

The North Dakota State Board of Cosmetology held a special meeting on Friday, August 30, 2024, at 11:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Present:

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

Also Present:

Holly Blomquist, Executive Director
Steve Hanson, Attorney

Meeting called order at 11:30.

Agenda

1. **Spectrum School Closing**

Steve states that the school has two (2) options. 1) Close the school, reopen later and go through disciplinary actions at the time. 2) Relinquish the license with no settlement agreement. Holly stated that school is officially closed as of August 29, 2024. The school stated that they refunded the students at prorated rate.

D'Arlyn made a motion to suspend the pervious motion made on August 22, 2024, and offer a volunteer surrender of school licensure #25 effective upon execution of settlement agreement. Maureen seconded that motion. All voting: Cindy (y), Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

2. **Cosmetology Compact**

D'Arlyn stated that we do not have the software to support the compact. Emily stated that the boarding states are not enacted. Holly stated that the compact commission does not have the rules in place to support the compact. And we should consider waiting for the esthetics compact in place and do it at the same time. She states that we should consider joining the database offered by the NIC. Discussion is that we should be neutral because of our laws, the bordering states, and software. Maureen stated that her being a military spouse, she would stand for military at any time but because of the stated reasons

Maureen made a motion to not support the legislation at this time due to rules that are not yet in place, the esthetics compact is not in place, the boards database is not capable to handle the compact at this time, and the bordering states are not in alignment with the compact at this time. Cindy seconded that motion. All voting: Cindy (y), Emily (n), Maureen (y), D'Arlyn (y). Motion carried.

3. Adjournment

Cindy made a motion to adjourn the meeting. Emily seconded the motion. Motion carried.
Meeting adjourned at 12:07.

The next regular meeting is scheduled for September 16, 2024, 2024, at 9:30 am.



North Dakota STATE BOARD OF COSMETOLOGY

4719 Shelburne St. | Suite 1 | Bismarck ND58503
(701) 224-9800 | bocinfo@nd.gov | ndcosmetology.com

The North Dakota State Board of Cosmetology held a special meeting on Tuesday September 3, 2024, 2024, at 7:00 pm. via zoom.

Present:

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

Also Present:

Holly Blomquist, Executive Director

D'Arlyn opened the meeting at 7:00pm.

Agenda

1. Interview Statement and Questions regarding Spectrum School of Massage & Esthetics

Holly received the email from Corbin Warnock, a reporter with KX News, late yesterday afternoon requesting an interview regarding the Board closing Spectrum School. Steve stated that the Board would need to come up with a statement they would send.

The following statement will be made to Corbin at KX News Minot:

The Board addressed multiple complaints and the recent school inspection report at the board meeting held on Thursday, August 22, 2024. The Board determined that several violations had occurred and voted to take disciplinary action against the school's license by proposing an informal settlement agreement. At no time during the meeting did the Board discuss revoking the school's license.

On Friday, August 23, 2024, the board office received email notification from Spectrum School of Massage & Esthetics that their board of directors met and determined they will be closing the esthetics portion of their school effective in 60 days. On Thursday, August 29, 2024, Spectrum notified the board office that they officially closed the esthetics portion of their school that day.

The Board held a special meeting on August 30, 2024, and voted to suspend the previous motion made on August 22, 2024, regarding the informal settlement agreement and instead offer an agreement for voluntary surrender of Spectrum's school license since they notified the Board of their immediate closure. The Board would like to clarify, the voluntary surrender

of licensure is only for the school license issued by the Board of Cosmetology for their esthetics program and does not affect Spectrum's ability to operate their massage school.

The ND State Board of Cosmetology is responsible for ensuring public safety, which includes overseeing schools and students to ensure adequate training. Student education and future are our top priorities. The Board's first course of action is never to close a school at first sign of noncompliance. Instead, the Board is committed to working with the schools and gives schools an opportunity to correct their violations.

There were also follow-up Questions that Corbin sent for board to answer.

Emily made a motion to state the above statement and answer the question as agreed upon. Maureen seconded the motion. All voting: Emily (y), Cindy (y), Maureen (y). D' Arlyn (y). Motion carried.

Maureen made a motion to approve Holly to speak on the behalf of the board. Cindy seconded the motion. All voting: Emily (y), Cindy (y), Maureen (y). D' Arlyn (y). Motion carried.

Emily made a motion to adjourn the meeting. D'Arlyn seconded the motion. Motion carried. Meeting adjourned at 7:17pm.

The next regular meeting is scheduled for September 16, 2024, 2024, at 9:30 am.



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, September 16, 2024, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Present:

D'Arlyn Bauer, PHD, RN, Board President
Emily Wilcox, Cosmetologist, Vice President
Cindy Ripplinger, Cosmetologist

Also present:

Holly Blomquist, Executive Director
Steve Hanson, Attorney
Teresa Felch, Board Inspector
Angie Schafer, Board Inspector
Several guests

Not Present:

Maureen Wanner, Cosmetologist, Board Secretary

The meeting was called to order by the Board President at 9:34am.

Agenda

1. Approval of August Regular & Special Meeting Minutes
Cindy made the motion to approve the minutes for the August 22, 2024, meeting. Emily seconded the motion. All in favor. Motion carried.

Cindy made the motion to approve the minutes for the August 15, 2024, meeting. D'Arlyn seconded the motion. All in favor. Motion carried.

Emily made the motion to approve the minutes for the August 30, 2024, meeting. Cindy seconded the motion. All in favor. Motion carried.
2. Approval of Licenses 8/1/24-8/31/24
D'Arlyn made the motion to approve the licenses for 8/1/2024 to 8/31/2024. Motion was seconded by Emily. All in favor. Motion carried.
3. August 2024 Financial Statements
Emily made a motion to approve the financial statements for August 2024. Motion was seconded by Cindy. All in favor. Motion carried.
4. Open Forum 9:45 am-10:00 am
D'Arlyn opened the floor for comments at 9:43 am. She closed the floor for comment at 10:24 am.

Miranda Nichols addressed the Board regarding term limits, board qualifications and knowledge,

the duties of the board, and invasive care and tools and qualifications for use.

5. Face Foundrie-Bismarck & Fargo- Complaints

The Bismarck salon was discovered to have Procell micro-channeling equipment during inspection. The Fargo salon inspection did not find see Procell micro-channeling equipment. Face Foundrie owner did not personally respond to the letter from the Board, instead the Board received a letter from Procell Technologies' attorney. Both the Fargo and Bismarck salons advertised Procell micro-channeling services. Procell Technologies refers to their micro-channeling system as micro-needling in their case study they sponsored that is linked on their website and on a video by founder Dr. Schwartz on their website's homepage it is referred to as micro-needling. Discussion was held.

D'Arlyn made a motion to place Face Foundrie - Fargo on a 6 months' probation with a reinspection, having them remove the Procell micro-channeling tools for violation of 32-02-01-11(17) and 43-11-01. Emily seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

Cindy made a motion to place Face Foundrie - Bismarck on a 6 months' probation with a \$250 fine payable within 45 days of execution of the settlement agreement, a reinspection, having them remove the Procell micro-channeling tools for violation of 32-02-01-11(17) and 43-11-01. Emily seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

6. Concepts of Wellness- Disciplinary Action on Inspection

During an inspection lancets were found.

D'Arlyn made a motion to place Concepts of Wellness on 6 months' probation for violation of 43-11-01 and 32-02-01-11(17) with a \$250 fine payable within 45 days of execution of the settlement agreement, a reinspection, and to have them remove the lancets. Emily seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

7. Esthetics by Elyse- Disciplinary Action on Inspection

During an inspection lancets were found.

Emily made a motion to place Concepts of Wellness on 6 months' probation for violation of 43-11-01 and 32-02-01-11(17) with a \$250 fine payable within 45 days of execution of the settlement agreement, a reinspection, and to have them remove the lancets. Cindy seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

8. Nail Glamor- Disciplinary Action on Inspection

During an inspection on 8/20 there was no master on site. The manager stated he was a master to the inspector. The application was received, and the license was issued on 8/22.

D'Arlyn made a motion to place Nail Glamor on 6 months' probation for violation of 32-03-01-07 with a reinspection. Emily seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

9. V Nails- Disciplinary Action on Inspection

V Nails has a skin and lash room. They do not employ either a master cosmetologist or a master esthetician. They do employ a cosmetologist who performs nail services.

Emily made a motion to place V Nails on 6 months' probation for violations of 43-11-15, 43-11-26, and 32-03-01-07 with a reinspection, and to remove the items until they employ a master esthetician or master cosmetologist. Cindy seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

10. DiVa Nails & Spa- Complaint

Complaint received that salon employed unlicensed workers. During the inspection two

unlicensed workers were performing pedicures.

Emily made a motion to place DiVa Nails & Spa on 6 months' probation for violations of 43-11-13 with a \$500 fine payable within 45 days of execution of the settlement agreement, a reinspection. Cindy seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

11. Northhill Nails- Complaint

The board received a complaint that they were not properly following the rules of cleaning and disinfecting which would be a violation of 32-02-01, specifically 32-02-01-10. The salon passed the inspection.

Emily made a motion to dismiss the complaint due to insufficient evidence. D'Arlyn seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

12. Hair Society Institute- Complaint

The board received a complaint from a student regarding being unable to attend classes and contract overage charges related to failure to attend classes. The student has since registered at another school. The school provided an explanation and the students' attendance records.

Emily made a motion to dismiss the complaint as there is no evidence of violation of Chapter 43-11 or Article 32. D'Arlyn seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

13. Huynh Phuong Trang Le- International Reciprocity Application

Trang Le graduated on June 24, 2023, with 714 hours from a nail technician program in Vietnam. She has passed the required ND law exam.

Emily made a motion to approve her application for reciprocity for a manicuring license. D'Arlyn seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

14. Office Carpet Cleaning

Holly requested bids from three vendors. Only one vendor provided a quote.

D'Arlyn made a motion to accept the Arrow Service Team quote of \$244.44 for carpet cleaning for the board office. Cindy seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

15. Letters to the Board

Discussion only.

16. NIC Candidate ID Requirements

Discussion on what are the acceptable IDs for Prov testing.

Emily made the motion that the acceptable IDs are current government issued IDs as well as government issued temporary IDs and paper driver's license. Cindy seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

17. New Business

Exam Schedule for 2025

Emily made the motion to approve the exam schedules for practical exams for Cosmetology, Esthetician and Nails. D'Arlyn seconded the motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

Board Meeting Schedule for 2025

D'Arlyn made the motion to approve the Board meeting schedule for 2025. Cindy seconded the

motion. Voting: Cindy (y) Emily (y), D'Arlyn (y). Motion carried.

18. Unfinished Business

Holly provided the board members with an update on the outstanding settlement agreements.

19. Adjournment

Emily made a motion to adjourn the meeting. D'Arlyn seconded the motion. All in favor. Motion carried. The meeting adjourned at 11:20 am.

The next regular meeting is scheduled for October 21, 2024, 2024, at 9:30 am.



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 special meeting on Tuesday, September 24, 2024, at 10:00 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D to discuss legislative changes to statutes for the upcoming session.

Present:

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

Also Present:

Holly Blomquist, Executive Director
Teresa Felch, Board Inspector

Not Present:

Cindy Ripplinger

D'Arlyn called the meeting to order at 10:31am.

Discussion only on statute changes for the upcoming legislative session.

Meeting adjourned at 4:45pm.



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 special meeting on Wednesday, September 25, 2024, at 10:00 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D to discuss legislative changes to statutes for the upcoming session.

Present:

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

Also Present:

Holly Blomquist, Executive Director
Teresa Felch, Board Inspector
Angela Schafer, Board Inspector

Not Present:

Maureen Wanner, Board Secretary. (arrived at 12:10 pm)

D'Arlyn called the meeting to order at 10:04am.

Discussion only on statute changes for the upcoming legislative session.

Meeting adjourned at 12:43pm.



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, October 21, 2024, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

The meeting was called to order at 9:44 am by D'Arlyn Bauer.

Present:

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

Also Present:

Holly Blomquist, Executive Director
Steve Hanson, Attorney

D'Arlyn made a statement

Agenda

1. Approval of September Regular & Special Meeting Minutes
Special September 3, 2024. Cindy made a motion to approve the minutes for the special meeting on September 3, 2024. D'Arlyn seconded that motion. Motion carried.

Regular September 16, 2024. Cindy made a motion to approve the minutes for the special meeting on September 3, 2024. Maureen seconded that motion. Motion carried.

Special September 24, 2024. D'Arlyn made a motion to approve the minutes for the special meeting on September 3, 2024. Cindy seconded that motion. Motion carried.

Special September 25, 2024. D'Arlyn made a motion to approve the minutes for the special meeting on September 3, 2024. Cindy seconded that motion. Motion carried.
2. Approval of Licenses 9/1/24-9/30/24
Cindy made a motion to the license for September 1 to September 30, 2024. D'Arlyn seconded that motion. Motion carried.
 - a. Caitlin Dunn. Maureen made Cindy. All voting: Maureen (y). Cindy (y), Cindy (absent), D'Arlyn (y). Motion carried.
3. Approval September 2024 Financial Statements
Cindy made a motion to approve the September 2024 Financial Statements. D'Arlyn seconded that motion. Motion carried.
4. Open Forum 9:45 am-10:00 am
D'Arlyn opened the meeting up at 9:45.
 - The topic of a board member being involved with a cosmetology school
 - Master Cosmetologist being on duty at the salon during open hours. Comments were

regarding the salon being open if MC was sick and needed to be out of salon.
The open forum closed at 10:05.

5. Heather Meyer's resignation
Heather resigned her position as an examiner. Discussion only.
6. Examiner positions hiring request
Maureen made a motion to go through the hiring process for two examiners. D'Arlyn seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.
7. Jazzlyn Hasbargen application for licensure
Jazzlyn was charged with open container. She has taken care of her obligations. Emily made a motion to approve Jazzlyn application upon successfully completing the requirements to licensure. D'Arlyn seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.
8. Martha Lainez reciprocity application. 43-11-25, 32-05-01-01.1
Completed 400-hours of school training. Licensed in December 2022. D'Arlyn made a motion to have Martha take the participle examination and upon the success of passing the exam and the law exam and pay her fee, be granted her license. Cindy seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.
9. Cuong Do reciprocity application.
He is asking to have the requirement to take the participle exam waived because of lack of transportation. D made the motion to require Cuong Do to take the participle examination and the law exam and upon passing and paying the fee, be granted a license. Cindy seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.
10. Dana Miller independent licensee application. 43-11-28
Dana is asking the board to refund her renewal and late fee or have that applied to the new location application fee. She has not yet applied for a new salon location. D made a motion to deny the request for a refund according to 43-11-28. Emily seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

Dana is working in an unlicensed salon. The salon owner she is renting from knows she is unlicensed. Cindy made a motion to start a board-initiated complaint against Dana according to 43-11-13. Emily seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.
11. Josef's School of Hair, Skin & Body complaint
 - a. Service appointments not being evenly distributed.
Maureen made a motion to dismiss the complaint. Cindy seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.
 - b. Student accommodation. Because of students' transportation issues, asked to be 3 minutes lack. She can be there 30 minutes early riding the bus but wants staff there so she can get in. She also would like to do tarot cards during theory class since a guest speaker was allowed to mention her Christian beliefs during her guest visit.
Emily made a motion to dismiss the complaint. Maureen seconded that motion. Cindy seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.
12. Nail Mosaic complaint
Unlicensed worker complaint. Scheduling site allowed appointments to be scheduled with unlicensed worker. The owner acknowledges allowing unlicensed individuals to work in salon and stated she was training an individual in her salon who was preparing to take licensing

examinations.

Cindy made a motion to place Nail Mosaic on probation due to unlicensed workers for 6 months, fine of \$500 payable in 45-day and a reinspect according to 43-11-13, 32-01-03-01 and 43-11-35. Emily seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

13. London Nails complaint

Unlicensed workers. A rasp was found during inspection.

D'Arlyn made a motion due to violation to 32-02-01-11.17, to place London Nails on 6 months' probation, shall pay a fine of \$250 payable in 45-day and will be reinspect. Emily seconded the motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

D'Arlyn made a motion to dismiss the complaint of unlicensed worker. Emily seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

14. Tina's Nail Spa complaint

Complaint about unlicensed worker, ID shared among workers, paraffin being reused. They passed their inspection.

Cindy made a motion to dismiss the complaint against Tina's Nail Spa. D'Arlyn seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

15. K&K Nails by Jacob Le Disciplinary on inspection

An inspection was done. Found invasive tools. They have a signed settlement agreement already in place for employing unlicensed workers. They are currently on probation.

Maureen made a motion to have K&K Nails by Jacob Le pay a fine of \$250 payable in 45-day and will be reinspect. D'Arlyn seconded that motion.

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

16. LOR Spa Disciplinary on inspection

The inspection was done on September 12, 2024. Lancets and microneedling were found, no master license for the salon at the time of inspection. There is now a Master Esthetician. But the cosmetologist also needs a master license.

D'Arlyn made a motion that a letter be sent to clarify that the Cosmetologist needs a master license according to 32-03-01-07 and due to 32-02-01-11.17, to place LOR Spa on 6 months' probation, shall pay a fine of \$250 payable in 45-day and will be reinspect. Emily seconded the motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

17. InfiniteArt Nails settlement agreement

Asking to make payment of the fine.

Cindy made a motion to except the payment plan for InfiniteArt Nails' fine outlined in their settlement agreement. D'Arly seconded the motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

18. V Nails & Spa settlement agreement

Asking the board to reconsider the terms of the settlement agreement. Maureen made a motion to deny V Nails & Spa's request. Cindy seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

19. Concepts of Wellness settlement agreement

Asking the board to lower the fine of \$250 to \$150 and to lessen the probation time. Emily made a motion to deny Concepts of Wellness' request. Cindy seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

20. Miranda Marshall reciprocity application

Licensed in July 2022.

Maureen made a motion to ask Miranda for more information on work experience or if there is none provided, she takes the particle examination and upon success of passing the exam and the law exam and paying her fee, be granted a license. D'Arlyn seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.

- 21.** Sawyer Damiano application to take particle exam for initial license.
Convicted of consumption of a minor. Obligations are met.
D'Arlyn made a motion to approve her application and approval her license upon successfully meeting all requirements. Cindy seconded that motion. All voting: Maureen (y). Cindy (y), Emily (y), D'Arlyn (y). Motion carried.
- 22.** Questions from TSPA, Josef's & The Hair Academy
The schools brought forth questions and concerns regarding apprenticeship, the protection of the apprentice, and advanced Esthetics license requirements.
- 23.** Letters to the Board
Several emails have been sent to the board regarding the potential changes to esthetic law and rules. Discussion only
- 24.** New Business
 - a. Survey from a third party regarding the States Auditor's office. Holly will find out if this survey needs to be completed since they do not do the Boards audits.
- 25.** Unfinished Business
 - a. Statutes review, continued
Discussion only
 - b. FYI-Pending Settlement Agreements:
 - i. Amber @ Jazzy Stylz org. sent 2/15/24
A copy of the settlement agreement was left for Amber by the inspector.
 - ii. Esthetics by Elyse
Esthetic by Elyse sent settlement back in the mail.
 - iii. Trendy Nails
A second letter will be sent out soon.
 - iv. Glitz & Glam Nails
A second letter will be sent out soon.
- 26. Adjournment**
Maureen made a motion to adjourn the meeting. D'Arlyn seconded that motion. Motion carried.
The meeting was adjourned at 3:51 pm.

The next regular meeting is scheduled for November 18, 2024, at 9:30 am.

Minutes submitted by Maureen Wanner



North Dakota STATE BOARD OF COSMETOLOGY

4719 Shelburne St. | Suite 1 | Bismarck ND 58503
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The North Dakota State Board of Cosmetology held a special meeting on Wednesday, October 30, 2024, at 4:00 p.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Meeting was called to order at 3:59 pm by D' Arlyn Bauer.

Present:

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

Also Present:

Holly Blomquist, Executive Director
Steve Hanson, Attorney
Agenda

1. Face Foundrie Settlement Agreements Proposed Amendments

Bismarck's location

Part 2 section E. The word "medical" and "micro channeling" should to be taken out of the settlement agreement. Replace "medical" with "prohibited."

Last section was deleted.

Part F and G. Verbiage added.

"Non-compliant" equipment to "prohibited"

They are asking to remove fine and remove the probation.

.25mm tips were the ones found on inspection. FDA class 1 equipment. N.D.A.C 32-02-11 sub 17 states microneedling is prohibited. Procell, equipment found onsite, has case study on its own website that refers to its microchanneling system as microneedling.

Unclear, potentially misleading advertising.

Cindy made a motion to make amends to the settlement agreement to eliminate the probation period, keep the reinspect, and update the agreement with the changes discussed. D'Arlyn seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carried.

Fargo's location.

Verbiage changes are the same.

Cindy made a motion to dismiss the disciplinary action against Face Foundry in the Fargo location. Maureen seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carried.

2. Adjournment

Maureen made a motion to adjourn the meeting. D'Arlyn seconded that motion. Motion carried. The meeting adjourned at 5:03

Minutes submitted by Maureen Wanner.



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The North Dakota State Board of Cosmetology held a special meeting on Thursday, November 7, 2024, at 8:00 p.m. via zoom.

Board Members Present:

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

Also Present:

Holly Blomquist, Executive Director

D'Arlyn called the meeting to order 8 p.m.

Agenda

1. Legislation

Discussion was had on the proposed draft for legislation. Discussion was on the North Dakota Century Code 43-11.

Maureen made a motion to approve the proposed amendments to the statues 43-11 and submit them for legislative review. Emily seconded that motion. All voting: Cindy (y), Emily (y), Maureen (y), D'Arlyn (y). Motion carried.

2. Adjournment

Cindy made a motion to adjourn the meeting. D'Arlyn seconded that motion. Motion carried. Meeting adjourned at 10:18 p.m.



North Dakota STATE BOARD OF COSMETOLOGY

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g on

Monday, November 18, 2024, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D.

Call to order at 9:33 a.m.

Present:

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

Also Present:

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

1. Approval of October 21, 2024, Regular & Special Meeting Minutes

Maureen made a motion to approve the October 21 meeting minutes. D'Arlyn seconded that motion. Motion carries.

D'Arlyn made a motion to approve the October 30 meeting minutes. Cindy seconded that motion. Motion carries.

2. Approval of Licenses 10/1/24-10/31/24

D'Arlyn made a motion to approve licenses. Cindy seconded that motion. Motion carries.

3. Approval October 2024 Financial Statements

D'Arlyn made a motion to approve the financial statements. Cindy seconded that motion. Motion carries.

4. Open Forum 9:45 am-10:00 am

Miranda Nichols

Strength of the peels outlined in the law.

Education in schools, mentorship, apprenticeship.

Questions if a medical director for advance esthetician

Kirsten Peterson

1000 hours needed after being licensed.

Continuing education.

Greta Gunderson

In favor of 1000 hours master hours but without having a MC on location at all times.

Not in favor of a medical director

Todd Anderson

Student complaints in rule, must be signed by the student, Holly explained how the complaints are handled.

Open forum closed at 10:07

5. Locks by Logan Marie LLC complaint

Complaint regarding extensions. The client was unhappy. Maureen made a motion to dismiss the complaint as this would be a civil matter not a Board matter. Cindy seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

6. Stella Nails & Spa LLC complaint

A client was burned by waxing. Spa claims that it was possible due to medication. Maureen made a motion to dismiss the complaint as this would be a civil matter not a Board matter. D'Arlyn seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

7. Angel Nails & Spa complaint

Complaint regarding unlicensed providers. But the complaint noticed more workers than licenses. A salon inspection was passed. D'Arlyn made a motion to dismiss the complaint for lack of evidence. Cindy seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

8. All Star Nail & Spa complaint from HHS

Complaint forwarded from Health and Human Services; bums, blisters, fungal infection. Salon inspection was done. The salon passed the inspection. D'Arlyn made a motion to dismiss the complaint for lack of findings. Maureen seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

9. Crystal Lomax

From Spectrum school. She was an instructor, but the license expired. She needed to have her license reinstated. She did not have her instructor's license until mid-June 2024. She was teaching May 1, 2024. The school was not licensed until mid-June also. Maureen made a motion to issue a settlement agreement for 6-months' probation to Crystal for violating 43-11-13. Cindy seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

10. Waxing the City Disciplinary Action on Inspection

During inspection it was found no ME on duty at the time of inspection and was not scheduled for duty until later that day. D'Arlyn made a motion to issue a settlement agreement for 6-months' probation and a reinspect for violation 43-11-15, 32-03-01-07. Cindy seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

11. Kristy Nguyen foreign reciprocity application

Kristy is applying for reciprocity. It is unclear if it is for cosmetology or manicuring. Maureen made a motion to table this for further research. D'Arlyn seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

12. AshLynn Fischer reciprocity application

Licensed in Texas 2021. No work experience. Texas only requires 1000 hours of schooling for cosmetology. D'Arlyn made a motion to grant a license to AshLynn after completing 500 hours of board approved cosmetology school, per 32-05-01-01.1, passing the ND law exam and paying applicable fee. Cindy seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

13. Micaela Rud reinstatement application

Reinstatement application fee. Did check yes on the box for convictions. Maureen made a motion to approve Micaela's application for reinstatement. D'Arlyn seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

14. Lorena Markezic petition to the board

Applied for reciprocity. She would like to be an independent licensee. Is asking to have the hours gained from working under a chiropractor count towards her Master hours. She's asking to be approved to work under the chiropractor as an esthetician.

D'Arlyn gives directions to Holly to speak to Lorena stating that the hours under the chiropractor would not count per 43-11-02.

15. Bill draft changes approval

The draft was reviewed, and changes were made.

Maureen made a motion to approve the draft as submitted as of November 18, 2024. D'Arlyn seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

Maureen made a motion to label the pages "draft" and post the draft onto the website. D'Arlyn seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

16. Strategic Plan review and update

Ideas were presented. D'Arlyn will type the updated list and completion dates and bring it back to the board.

17. New Business

- a. Board office close on November 29, 2024
Maureen made a motion to approve the office be closed November 29, 2024. Cindy seconded the motion. Motion carried.
- b. Audit is due for the years ending 2023 and 2024.
- c. Legislative testimony draft discussion
Discussion only

18. Unfinished Business

- a. FYI-Pending Settlement Agreements:
 - i. Dana Miller
A new application was submitted. The issue is resolved.
 - ii. Amber @ Jazzy Stylz org. sent 2/15/24
A settlement agreement has been sent multiple times. A certified letter will be sent by our attorney.
 - iii. Diva Nails
Waiting for settlement agreement.
 - iv. Trendy Nails
Waiting for settlement agreement.
 - v. Glitz & Glam Nails
Waiting for settlement agreement.
 - vi. K & K Nails
Waiting for settlement agreement.
 - vii. Concepts of Wellness
The settlement agreement was received in the mail.

19. Adjournment

Maureen made a motion to adjourn the meeting. Cindy seconded the motion. Motion carries. Meeting adjourned at 12:28 p.m.

The next regular meeting is scheduled for December 16, 2024, at 9:30 am.



North Dakota STATE BOARD OF COSMETOLOGY

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The North Dakota State Board of Cosmetology held a regular meeting on Monday, December 16, 2024, at 9:30 a.m. at the board office, 4719 Shelburne St., Suite 1, Bismarck, N.D. and via Zoom.

D'Arlyn called the meeting to order at 9:30 a.m.

Present:

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

Also Present:

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

Agenda

1. Approval of November Regular & Special Meeting Minutes

Maureen made a motion to approve the minutes from November 18, 2024, meeting. D'Arlyn seconded that meeting. Motion carries.

Cindy made a motion to approve the minutes from November 7, 2024, meeting. D'Arlyn seconded that meeting. Motion carries.

2. Approval of Licenses 11/1/24-11/30/24

Discussion was had regarding Benjamin Ohmann. He was convicted of a felony. D'Arlyn made a motion to approve his 2025 license renewal with an amended settlement agreement that includes a personal appearance to the board within 60 days of his release with a future plan to stay out of trouble. Cindy seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

Maureen made a motion to approve licenses for November 2024. D'Arlyn seconded that motion. Motion carries.

3. Approval November 2024 Financial Statements

Maureen made a motion to approve November 2024 Financial statements. Cindy seconded that motion. Motion carries.

4. Open Forum 9:58 am-10:15 am

D'Arlyn opened the floor for comments at 9:58 am. No comments brought forth. She closed the floor for comment at 10:18 am.

5. Dang Phu Tuc, foreign reciprocity application

D'Arlyn made a motion to approve Dang Phu Tuc reciprocity application. Cindy seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

6. Kristy Nguyen, foreign reciprocity

D'Arlyn made a motion to approve Kristy Nguyen's cosmetology reciprocity application. Maureen seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

7. Thi Diem Tran- reciprocity application

Maureen made a motion to accept the exam results from December 2023. Cindy seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

8. Miranda Nichols-request

Miranda requested a variance for her salon. Board attorney advised the Board does not have statutory authority to approve a variance. This was discussion only.

9. Josef's complaint

There is a complaint against the Joseph School in Grand Forks. Parents and students made complaints regarding an instructor, carpet and floors. An inspection was done, and disciplinary action was recommended due to carpet in the work area 32-02-01-04.

D'Arlyn made a motion to dismiss the complaints against the school except the sanitation concerns brought forth in the inspection. Cindy seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

D'Arlyn made a motion to do a reinspection within 3 months to follow up with carpet and tile replacement. Holly will send a letter specifying dates of March 31, 2025, needed for completion. Cindy seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

10. Elite Nails & Spa complaint

There were several unlicensed workers found during an inspection. This a against 43-11-13 D'Arlyn made a motion for a \$500 fine payable within 45 days of signed settlement agreement, 6-month probation, a reinspection and the unlicensed workers need to stop working until licensed. Cindy seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

11. June Nguyen-renewal

SS# did not match.

Maureen made a motion to have Steve send a letter to June to notify her that license #2581MN was sent in error, she needs to send license back and an inspection on the salon where she was working at to make sure she is not working. D'Arlyn seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

12. Examiner positions

Interviews were done. Holly recommends the board hire Leslie Goldade and Alex Ash as examiners.

Maureen made a motion to offer Leslie and Alex the positions of examiners with current salary structures. Cindy seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

13. Legislative testimony

Discussion only

14. New Business

a. FirstLink

- . Holly received a request to complete a survey. Maureen made a motion to have Holly complete the survey with updated information. Cindy seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

i.

b. Christmas Eve Office Hours

- . Cindy made a motion to give Holly and Lisle the 24th and the 31st off. D'Arlyn seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion

carries.

15. Unfinished Business

a. Strategic plan

- . D'Arlyn gave an update. Maureen made a motion to approve the strategic plan. Cindy seconded the motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

b. FYI-Pending Settlement Agreements:

. Amber @ Jazzy Stylz org. sent 2/15/24

- i. The settlement agreement was confirmed delivered and has not yet responded. Maureen made a motion to table this until the January meeting. D'Arlyn seconded that motion. All voting: Cindy (y), Maureen (y), D'Arlyn (y). Motion carries.

ii. Trendy Nails

- 1. There is no response as of now.

16. Adjournment

Maureen made a motion to adjourn the meeting. D'Arlyn seconded that motion. Motion carries. Meeting adjourned at 11:48.

Minutes submitted by Maureen Wanner