



Arizona State
Board of Cosmetology

Kim Scoplitte, Executive Director

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ARIZONA STATE BOARD OF COSMETOLOGY

Telephonic Rules Committee Meeting Minutes

April 17, 2020

TIME: 11:54 a.m.

PLACE: 1740 W. Adams, Board Room A, Phoenix, AZ 85007

- I. CALL TO ORDER AND ROLL CALL** Brandy Wells, Chair, Public Member
Gary Begley, Vice Chair, School Owner
Jenna Bentley, Public Member

Also in Attendance: Kim Scoplitte, Executive Director
Theresa Bunch, Deputy Director
Irma Telles, Investigative Supervisor
Mona Baskin, Assistant Attorney General

- II. COMMITTEE BUSINESS:** The Board may vote to go into executive session to obtain legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

- A. Review, Discussion and Approval of Committee Meeting Minutes from January 17, 2020.

MOTION by Jenna Bentley to approve the January 17, 2020, minutes as written. **MOTION SECONDED** by Gary Begley.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x		x	x	
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

- B. Discussion, Consideration and Recommendation on Comprehensive Review and Update of Board Rules A.A.C. R4-10-101 through R4-10-405, for Proposed Rulemaking.

1. Executive Order 2019-01; Moratorium on Rulemaking to Promote Job Creation and Customer-Services-Oriented Agencies; Protecting Consumers against Fraudulent Activities.

Kim Scoplitte, Executive Director stated that these four items have to do with Emily Rajakovich's concerns.

Kim Scoplitte stated staff has had several conversations with Emily and regarding A.A.C. R4-10-112 (E)(9), Emily indicated that the new language would not be approved as the section already talks about cleaning and disinfecting of tools. Staff discussed with Emily if we went back to the original language would she be fine with that and Emily indicated that she would. The original language reads: "A client's personal cosmetology tools and instruments that are brought into and used in the establishment shall comply with these rules".

Kim Scoplitte stated that regarding Table 1. Time Frames Approval to Take an Examination. In staff's response explained that this needed to be removed years ago and that there was a time when the Board did administer the examination and because the Board no longer administers the exam the Board has no authority to approve to take an examination.

Kim Scoplitte stated that staff has had two conversations with Emily regarding A.A.C. R4-10-203 (N)(1)(8)(c) student/teacher ratio. Staff explained that the one instructor to twenty students on the clinic floor was important due to the type of services performed, chemicals used and public safety. Staff also discussed opening the theory class up, one instructor to a theory class. Emily indicated that she would be ok with this.

Kim Scoplitte stated that staff has responded back to Trista Guzman and Emily Rajakovick regarding the concerns and are waiting to hear back.

- **R4-10-112. Infection Control and Safety Standards**
A.A.C. R4-10-112 (E)(9)
- **R4-10-115. Rehearing or Review of a Board Decision**
A.A.C. R4-10-115(E)(H)
- **Table 1. Time Frames (in days)**
Approval to Take an Examination
- **R4-10-203. General School Requirement**
A.A.C. R4-10-203 (N)(1)(8)(c)

C. Review, Discussion and Possible Action on R4-10-306. Curricula Hours - Alternative Learning Hours

- A.A.C. R4-10-306 (F)(G)

D. Review, Discussion and Possible Action on Provisional Licenses Pursuant to Executive Order 2020-17

Theresa Bunch, Deputy Director stated as reported in the Board meeting, the provisional license is pretty much in place and waiting on GL to get the final tweaks out and we will be good.

E. Review, Discussion and Possible Action on Online/eLearning-Theory Classes

- R4-10-101 Definitions
- R4-10-201 Application for a School License; Renewal
- R4-10-204 School Records

- R4-10-302 Instructor Curriculum Required Hours, R4-10-303 Aesthetics Curriculum Required 600 Hours, Cosmetology Curriculum Required 1600 Hours, R4-10-304-1 Hairstyling Curriculum required 1000 hours and R4-10-305 Nail Technology Curriculum required 600 hours

Committee members discussed and considered the possibilities of allowing online learning in schools.

Theresa Bunch, Deputy Director stated that the online learning needs to be defined under R4-10-101 Definitions, whatever the committee wants to name this as “Online Learning”, “eLearning”, “Virtual” and to also indicating this under R4-10-302 Instructor Curriculum Required Hours, R4-10-303 Aesthetics Curriculum Required 600 Hours, Cosmetology Curriculum Required 1600 Hours, R4-10-304-1 Hairstyling Curriculum required 1000 hours and R4-10-305 Nail Technology Curriculum required 600 hours.

Committee members choose “Virtual” learning to define as the method of online learning and to also indicate this under Curriculum Required Hours as stated above.

MOTION by Gary Begley to add the ability of virtual training education to the methods the schools can use to train their students. **MOTION SECONDED** by Brandy.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x		x	x	
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

Theresa Bunch asked Board members for clarification purposes, that the online classes are for theory only.

Member Gary Begley state yes for online theory classes only.

F. Review, Discussion and Possible Action on A.A.C. R4-10-403. Salon Requirements and Minimum Equipment

- A.A.C. R4-10 R4-10-403 (C)(3)

Currently reads: If licensees using space in the salon is-a are performing aesthetics or nail technology salon, at least one sink in addition to the restroom and dispensary sinks.

At the last Rules Committee meeting held on January 17, 2020, committee members discussed A.A.C. R4-10-403. Salon Requirements and Minimum Equipment (C)(3) and for A.A.C. R4-10-403 (C)(3) to change language to read as: If licensees using space in the salon are performing aesthetics or nail technology services to have at least one sink.

Kim Scoplitte, Executive Director stated that staff had requested this be brought back as there might still be some confusion for licensees regarding access to sinks. On January 17, 2020, committee members purposed to change language which reads. If licensees using space in the salon are performing aesthetics or nail technology services to have at least one sink.

Kim Scoplitte asked the committee members if they would consider to change purposed language to read as. If Licensees using space in the are performing aesthetics or nail technology services to have access to at least one sink in addition to the restroom. ~~and dispensary sinks.~~

Committee members were fine with “access to at least one sink in addition to the restroom”.

G. Review, Discussion and Possible Action on A.A.C. R4-10-303 Aesthetics Curriculum Required 600 Hours and A.A.C. R4-10-304 Cosmetology Curriculum Required 1600 Hours.

At the last Rules Committee meeting held on January 17, 2020, committee members discussed A.A.C. R4-10-303. Aesthetics Curriculum Required 600 Hours (A)(2) and A.A.C. R4-10-304. Cosmetology Curriculum Required 1600 Hours (A)(2) to include Eyelash Extensions and it was decided to table for further discussion.

- A.A.C. R4-10-303. Aesthetics Curriculum Required 600 Hours (A)(2) Discussion to include Eyelash Extensions
- A.A.C. R4-10-304. Cosmetology Curriculum Required 1600 Hours (A)(2) Discussion to include Eyelash Extensions

Kim Scoplitte, Executive Director stated that this was brought back to further discuss. Staff did find legal advice that came from Bridget Harrington the Board’s previous attorney which indicated that the Board did have jurisdiction over Eyelash Extensions and falls in the scope of practice.

Kim Scoplitte stated that it was her understanding that the difference between eyelash enhancements were eyelash enhancements is an adhesive strip which you place on the eyelid and eyelash extensions is the application/technic of individual lashes being attached to a single lash with the use of glue and needle point tweezers.

Committee members discussed a concern as to whether the Board really has the authority to regulate this service and need to get direction from Board’s Attorney General and do further research.

Committee member Brandy Wells directed staff to remove from the Board’s website the FAQ’s regarding Eyelash Extensions until this can be determined and to also bring to the full Board.

H. Review, Discussion and Possible Action on A.A.C. R4-10-404. Mobile Services (A)(1)(2)(3)(4)(5)(B)(1)(2)(3)(4)

At the last Rules Committee meeting held on January 17, 2020, committee members discussed A.A.C. R4-10-404. Mobile Services (A)(1)(2)(3)(4)(5)(B)(1)(2)(3)(4) and it was decided to table for further discussion.

Kim Scoplitte, Executive Director stated that on March 3, 2020, when staff attending a GRRC meeting regarding the 5-Year Rule Review, a council member had indicated that they had spoken to an individual who did massage therapy and stated that they have a small license card that they can carry around. Kim Scoplitte stated that the Board also issues a wallet size license card and the council member said why not let licensees use that for the mobile services.

Kim Scoplitte stated that she thought that was a great idea and wanted to see what the committee members thought.

Committee members thought it was a good addition to allowing the licensees to copy their personal and salon licenses for mobile service and to make this addition to the current rule.

- I. Review, Discussion and Possible Action on A.A.C. R4-10-111. Display of Licenses and Signs (D)

At the last Rules Committee meeting held on January 17, 2020, committee members discussed A.A.C. R4-10-111. Display of Licenses and Signs (D) and it was decided to table for further discussion.

- J. Review, Discussion and Possible Action on the Five-Year-Review Report: A.A.C. Title 4, Chapter 10

- K. Discussion, Consideration on Setting of the next Rules Committee Meeting Date.

Committee members set the next Rules Committee Meeting for May 15, 2020, to immediately follow after the Board Meeting.

III. ADJOURN

MOTION BY Brandy Wells to adjourn the meeting at 12:53 p.m. **MOTION SECONDED** by Gary Begley.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x		x	x	
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

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