



1721 East Broadway • Tempe AZ 85282
Phone 480.784.4539 • Fax 480.784.4962
www.azboc.gov

ARIZONA STATE BOARD OF COSMETOLOGY

Legislation Committee Meeting Minutes

August 13, 2010

TIME: 11:00 a.m.

PLACE: 1721 East Broadway, Tempe Arizona, 85282

CALL TO ORDER AND ROLL CALL

Committee Members Present:

Karla Clodfelter
Gary Begley
Thom Kasch

Also in attendance:

Donna Aune	Nancy Lease
Bridget Harrington	Pearl Foy
Theresa Bunch	Isabel Calleros
Penny O'Dell	Peggy Begley
Nanci Kerns	

COMMITTEE BUSINESS *, ** AND ****

A. Approval of Committee Minutes from July 20, 2010.

MOTION by Thom Kasch to approve minutes as written. MOTION SECONDED by Gary Begley.
MOTION CARRIED.

B. Discussion, Consideration and Possible Action on Proposing Legislation regarding Protection of Terms found in A.R.S. § 32-501 including:

- Aesthetician
- Aesthetics
- Cosmetologist
- Cosmetology

- Nail Technician
- Nail Technology

The terms listed above will be the terms to be protected; they are defined in the laws. Bridget Harrington, Assistant Attorney General showed examples of other Board's statutes which read, "and any other title or designation likely or intended to be confused with" to cover the usage of the terms with other word combinations.

Gary Begley proposed to put on the agency website a "FAQ" site (frequently asked questions) and include terms such as "clinical aesthetician" and "medical aesthetician" in the questions and answers to clarify their meaning. A protocol needs to be established for what question and answers shall be posted. The Board needs to approve a "FAQ" section on the website before posting.

Ms. Harrington informed the committee that if a statute was added making it "unlawful use or designation; classification" of the terms it would be a misdemeanor. It could be added under 32-574 which already says it is a misdemeanor.

- C. Discussion, Consideration and Possible Action on Proposing Legislation regarding 1 – 6, Legislative Changes (see following page).
- D. Discussion, Consideration & Possible Action on Regulation of Laser Technicians Pursuant to A.R.S. § 32-501 et seq. and A.R.S. § 32-3231 et seq.

Gary Begley informed the committee he will provide information on laser technicians at the next meeting.

- E. Discussion, Consideration and Possible Action on Pursuing Legislation giving Authority to Issue Licenses to the Executive Director

Assistant Attorney General, Bridget Harrington, explained to that this authority could be placed under A.R.S. § 32-504 by adding a subsection C and stating language "The Board may delegate executive authority to issue to qualified applicants that meet the requirements."

- F. Discussion, Consideration and Possible Action on recommending to the Board a new requirement for schools to keep records for 5 years.

ADJOURN

MOTION by Thom Kasch to adjourn. MOTION SECONDED by Gary Begley. MOTION CARRIED.

In accordance with Title II of the Americans with Disabilities Act, the Cosmetology Board does not discriminate on the basis of disabilities in its programs, services or activities. Individuals who need reasonable accommodation to participate or who need information in an alternative format may contact the ADA Coordinator at (480) 784-4539.

- * **LEGAL ADVICE WHERE APPLICABLE – A.R.S. § 38-431-03 (A) (3)**
- ** **PERSONNEL MATTERS – A.R.S. § 38-431.03 (A) (1)**
- *** **CONFIDENTIAL MATTERS – A.R.S. § 38-431.03 (A) (2)**
- **** **PENDING LITIGATION – A.R.S. § 38-431.03 (A) (4)**

BOARD OF COSMETOLOGY

IDEAS FOR LEGISLATIVE CHANGES

1. SUPBOENA POWER – ADD TO A.R.S. §32-573.
 Could be added to A.R.S. §32-504 under Powers and Duties adding a #10 section.
2. REPEAL 60 DAY NOTICE REQUIREMENT FOR PERSONAL LICENSES – A.R.S. §32-518(B).
3. REQUIRE IFP AND LAW REVIEW CLASSES FOR ALL RECIPROCITY LICENSES – A.R.S. §32-513.
4. INCREASE FEE CAPS A.R.S. §32-507.
 The last time fees were raised was 2000. Possibly raise all the fee caps 2 times to allow room for later increases.
5. CLARIFY NOTIFICATION REQUIREMENT WHEN SELLING A SALON OR SCHOOL – WHO IS REQUIRED TO NOTIFY BOARD AND WITHIN WHAT TIME FRAME? A.R.S. §32-545 AND A.R.S. §32-552.
 Suggested to change the word “transfer” to “change”
6. TERM LIMITS.
 Change to 5 years