



Arizona State
Board of Cosmetology

Kim Scoplitte, Executive Director

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ARIZONA STATE BOARD OF COSMETOLOGY

**Telephonic Rules Committee/Five-Year Rule Review Report Meeting Minutes
July 14, 2020**

TIME: 3:02 p.m.

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

I. CALL TO ORDER AND ROLL CALL

Brandy Flores, 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
Rosa Rodriguez, IT/Complaints
Mona Baskin, Assistant Attorney General

I. 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 May 15, 2020.

MOTION by Jenna Bentley to approve minutes as written.

MOTION SECONDED by Gary Begley

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Flores	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.

- **A.A.C. R4-10-115. Rehearing or Review of a Board Decision**
A.A.C. R4-10-115(E)(H)

Kim Scoplitte stated that on May 19, 2020, Trista Guzman, Director of Boards and Commissions, from the Governor’s Office, approved the rule.

- **A.A.C.R4-10-203. General School Requirement**
A.A.C. R4-10-203 (N)(1)

Kim Scoplitte stated that she had inadvertently included the wrong text for A.A.C. R4-10-203 (N)(1) on the Rule Committee Meeting Agenda for today. Ms. Scoplitte provided the committee with the correct text as follows: A.A.C. R4-10-203 (N)(1) “A ratio of no more than 40 students per licensed instructor during a theory course and 20 students per licensed instructor during a clinic is maintained.”

Ms. Scoplitte advised the committee that the Student/Teacher ratio of 40 students: 1 instructor previously recommended by the Rules Committee was not approved by Trista Guzman Director of Boards and Commissions. Ms. Guzman recommended that the Rules Committee reconsider the issue.

Committee members discussed the student/teacher ratio and the following motion was made.

MOTION by Brandy Flores to recommend to the full Board that the Student/Teacher ratio be removed from A.A.C. R4-10-203 (N)(1).

MOTION SECONDED by Jenna Bentley.

Roll Call:

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

MOTION CARRIED.

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

1. A.A.C. R4-10-302 Instructor Curriculum Required Hours, A.A.C. R4-10-303 Aesthetics Curriculum Required 600 Hours, A.A.C. R4-10-304 Cosmetology Curriculum

Required 1600 Hours, A.A.C. R4-10-304-1 Hairstyling Curriculum required 1000 hours, A.A.C. R4-10-305 Nail Technology Curriculum required 600 hours, A.A.C. R4-10-306 Curricula Hours and A.A.C. R4-10-204 School Records

- Clarification on the differences/definition between Virtual Learning and Alternative Learning.

Kim Scoplitte asked the committee to consider whether further clarification was needed in the proposed rules regarding the differences/definition between the terms Virtual Learning and Alternative Learning.

Committee members discussed the differences between Virtual Learning and Alternative Learning and referenced A.A.C. R4-10-306 (F) regarding alternative learning hours. The Committee agreed that no additional changes were needed.

- Clarification on what percent of hours would be permitted for Virtual Learning for School Curriculum hours.

Kim Scoplitte Executive Director asked the committee for clarification regarding what percent of total curriculum hours would be permitted for Virtual Learning.

Committee members discussed the hours that would be permitted for Virtual Learning and the following motion was made.

MOTION by Brandy Flores to recommend to the full Board to remove the maximum of one-third of the curriculum hours permitted for Virtual Learning in sections A.A.C. R4-10-302 (C) Instructor Curriculum Required Hours, A.A.C. R4-10-303 (B) Aesthetics Curriculum Required Hours, A.A.C. R4-10-304 (B) Cosmetology Curriculum Required, A.A.C. R4-10-304-1 (B) Hairstyling Curriculum required hours and A.A.C. R4-10-305 (B) Nail Technology Curriculum required hours.

MOTION SECONDED by Jenna Bentley.

Roll Call:

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

MOTION CARRIED.

- A.A.C. R4-10-203 (N)(8)(b) General School Requirements – “A duplicate Board issued license to operate a school shall be posted in each distant facility.”

Kim Scoplitte Executive Director asked the committee to consider whether to retain the requirement for a duplicate license in A.A.C. R4-10-203 (N)(8)(b) which provides that “A duplicate Board issued license to operate a school shall be posted in each distant facility.”

Kim Scoplitte Executive Director stated that the Board’s rule writer Jeanne Hann raised this issue based on the action taken by GRRC earlier this year regarding duplicate licenses being required for mobile services. The committee suggested using the same verbiage modified by GRRC in A.A.C. R4-10-111 (D)(1)(2).

Committee members discussed the above and made the following motion.

MOTION by Jenna Bentley to recommend to the full Board to strike current language in A.A.C. R4-10-203 (N)(8)(b) and to add language referencing licenses in A.A.C. R4-10-111 (D)(1)(2).

MOTION SECONDED by Gary Begley.

Roll Call:

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

MOTION CARRIED.

D. Review, Discussion and Possible Action on A.A.C. R4-10-102 Fees and Charges

Kim Scoplitte Executive Director stated that the committee received a copy of the fees from other state boards which included the Board's fees. Staff reviewed the fees and made suggestions for the Board to review, modify, and or approve.

Committee members discussed the fees and the following motion was made.

MOTION by Brandy Flores to recommend to the full Board to accept the recommendations with the change to Personal Reciprocity License fee to be reduced to \$60.

MOTION SECONDED by Jenna Bentley.

Roll Call:

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

MOTION CARRIED.

MOTION by Brandy Flores to recommend to the full Board to approve the entire rule packet with the changes as discussed and approved at the today's rules committee.

MOTION SECONDED by Jenna Bentley.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x		x	x	
Nay					
Recused					

Abstained					
Absent					

MOTION CARRIED.

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

Kim Scoplitte Executive Director stated that she received a copy of the Five-Year Rule Review Report drafted by Jeanne Hann. The Report was provided to the committee for review and consideration. The report coincides with and incorporates the current proposed rule changes in our rules packet. The Five-Year Rule Review Report is due on July 31, 2020. Ms. Hann will incorporate any changes prior to the due date.

Committee members reviewed, discussed and the following motion was made.

MOTION by Brandy Flores to recommend to the full Board to accept and submit the 5-Year Rule Review Report.

MOTION SECONDED by Gary Begley.

Roll Call:

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

MOTION CARRIED.

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

II. ADJOURN

MOTION by Jenna Bentley to adjourn the meeting at 4:14 p.m. MOTION SECONDED by Brandy Flores.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkaus
Aye	x		x	x	
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

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Mimi Ahmetovic the ADA Coordinator at (480) 825-7002.

DRAFT