

**TELECONFERENCE/VIRTUAL
COSMETOLOGY EXAMINING BOARD
MEETING MINUTES
MAY 22, 2020**

PRESENT: Kayla Cwojdinski, Georgianna Halverson, Megan Jackson, Vicky McNally, Daisy Quintal

EXCUSED: Kristin Lee

STAFF: Christian Albouras, Executive Director; Jameson Whitney, Legal Counsel; Jon Derenne, Rules Coordinator; Megan Glaeser, Bureau Assistant; and other Department staff.

CALL TO ORDER

Vicky McNally, Chairperson, called the meeting to order at 9:32 a.m. A quorum of five (5) members was confirmed.

ADOPTION OF AGENDA

MOTION: Georgianna Halverson moved, seconded by Daisy Quintal, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 4, 2018

MOTION: Georgianna Halverson moved, seconded by Megan Jackson, to approve the minutes of June 4, 2018 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Chairperson

NOMINATION: Georgianna Halverson nominated Vicky McNally for the Office of Chairperson.

Christian Albouras, Executive Director, called for nominations three (3) times.

Vicky McNally was elected as Chairperson by unanimous voice vote.

Vice Chairperson

NOMINATION: Vicky McNally nominated Georgianna Halverson for the Office of Vice Chairperson.

Christian Albouras, Executive Director, called for nominations three (3) times.

Georgianna Halverson was elected as Vice Chairperson by unanimous voice vote.

Secretary

NOMINATION: Vicky McNally nominated Megan Jackson for the Office of Secretary.

Christian Albouras, Executive Director, called for nominations three (3) times.

Megan Jackson was elected as Secretary by unanimous voice vote.

2020 ELECTION RESULTS	
Chairperson	Vicky McNally
Vice Chairperson	Georgianna Halverson
Secretary	Megan Jackson

Appointment of Liaisons

2020 LIAISON APPOINTMENTS	
Credentialing Liaisons	Georgianna Halverson <i>Alternate:</i> Kayla Cwojdzinski
Monitoring and Professional Assistance Procedure (PAP) Liaison	Kayla Cwojdzinski <i>Alternate:</i> Daisy Quintal
Education and Examinations Liaison	Vicky McNally <i>Alternate:</i> Megan Jackson
Legislative Liaison	Vicky McNally <i>Alternate:</i> Georgianna Halverson
Travel Liaison	Daisy Quintal <i>Alternate:</i> Georgianna Halverson
Screening Panel	Vicky McNally, Georgianna Halverson, Daisy Quintal

Delegation of Authorities***Document Signature Delegations***

MOTION: Georgianna Halverson moved, seconded by Vicky McNally, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Vicky McNally moved, seconded by Georgianna Halverson, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Vicky McNally moved, seconded by Daisy Quintal, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Lack of or Loss of Quorum

MOTION: Vicky McNally moved, seconded by Megan Jackson, to delegate the review of disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum. Motion carried unanimously.

Monitoring Delegations

MOTION: Vicky McNally moved, seconded by Kayla Cwojdzinski, to adopt the "Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor" as presented in the May 22, 2020 agenda materials. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: Vicky McNally moved, seconded by Georgianna Halverson, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between DSPS and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Megan Jackson moved, seconded by Vicky McNally, to delegate credentialing authority to DSPS to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Kayla Cwojdzinski moved, seconded by Georgianna Halverson, that the Department's Attorney Supervisors, DLSC Administrator, or their designee are authorized to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Voluntary Surrenders

MOTION: Georgianna Halverson moved, seconded by Kayla Cwojdzinski, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Education and Examination Liaison Delegation(s)

MOTION: Vicky McNally moved, seconded by Daisy Quintal, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education, and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Vicky McNally moved, seconded by Georgianna Halverson, to authorize DSPS staff to provide national regulatory related bodies with all board member contact information that DSPS retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Megan Jackson moved, seconded by Daisy Quintal to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Vicky McNally moved, seconded by Georgianna Halverson, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Delegation

MOTION: Vicky McNally moved, seconded by Daisy Quintal, to delegate authority to the Travel Liaison to approve any board member travel. Motion carried unanimously.

Introductions, Announcements and Recognition

MOTION: Vicky McNally moved, seconded by Georgianna Halverson, to recognize and thank Kim Rank, Lori Paul, Denise Trokan, and Kristin Allison for their service to the Cosmetology Examining Board and the State of Wisconsin. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS – DISCUSSION AND CONSIDERATION

Adoption Order for CR 18-031, Rule Repeal

MOTION: Georgianna Halverson moved, seconded by Daisy Quintal, to approve the Adoption Order for Clearinghouse Rule 18-031 relating to cosmetology continuing education. Motion carried unanimously.

Delegation of Authority to DSPS for Conviction Reviews

MOTION: Vicky McNally moved, seconded by Georgianna Halverson, to authorize and delegate the DSPS attorneys and paralegals to make decisions regarding conviction reviews approving credentials according to Wis. Stats. §454.06. All potential denials will be reviewed by the Credentialing Liaison. Motion carried unanimously.

CLOSED SESSION

MOTION: Georgianna Halverson moved, seconded by Megan Jackson, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Vicky McNally, the Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Kayla Cwojdinski-yes; Georgianna Halverson-yes; Megan Jackson-yes; Vicky McNally-yes; and Daisy Quintal-yes. Motion carried unanimously.

The Board convened into Closed Session at 12:02 p.m.

**DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC)
MATTERS**

Stipulations, Final Decisions and Orders

MOTION: Georgianna Halverson moved, seconded by Vicky McNally, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:

1. 17 BAC 013 – Thao T. Do
2. 17 BAC 014 – Van D. Vo
3. 17 BAC 014 – Van T. Nguyen

4. 17 BAC 040 – Anh M. Chau and AA Nails
 5. 17 BAC 054 – Sarah Juszczak
 6. 17 BAC 085 – Duyen Vo
- Motion carried unanimously.

Administrative Warnings

MOTION: Vicky McNally moved, seconded by Megan Jackson, to issue an Administrative Warning in the matter of the following cases:

1. 17 BAC 109 – B.J.G.
2. 17 BAC 109 – S.

Motion carried unanimously.

Case Closings

MOTION: Vicky McNally moved, seconded by Daisy Quintal, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 17 BAC 004 – K.S., A.N.S. – Prosecutorial Discretion (P2)
2. 17 BAC 013 – L.A.N.M. – Prosecutorial Discretion (P3)
3. 17 BAC 014 – P.N. – Prosecutorial Discretion (P2)
4. 17 BAC 018 – L.N.S. – Insufficient Evidence
5. 17 BAC 033 – T.T.P., P.P.P., N.A.T. & S.N.&S. – Insufficient Evidence
6. 17 BAC 063 – P.N., P.N., V.N.H., M.V. & K.T.H. – Prosecutorial Discretion (P3)
7. 17 BAC 066 – V.N. & P.N.C. – Prosecutorial Discretion (P2)
8. 17 BAC 089 – S.T., J.M.K. & M.M.K. – No Violation
9. 17 BAC 092 – P.H.D.N., E.N. – Prosecutorial Discretion (P3)
10. 17 BAC 094 – S.C.W.I. – No Violation
11. 17 BAC 114 – G.N.B. – Insufficient Evidence
12. 17 BAC 116 – A.A.C., S.H.B. – Insufficient Evidence
13. 18 BAC 007 – R.B.S., R.B.S. & R.B.H.C. – Prosecutorial Discretion (P7)
14. 18 BAC 012 – E.T.G. – No Violation
15. 18 BAC 013 – J.M.F. – Insufficient Evidence
16. 18 BAC 034 – X.T.L. & L.N.S. – Insufficient Evidence
17. 18 BAC 036 – R.V. – Insufficient Evidence
18. 18 BAC 050 – S.R.S., S.C.W.I. – Prosecutorial Discretion (P1)
19. 18 BAC 070 – K.S., A.N.S. – Prosecutorial Discretion (P2)
20. 18 BAC 081 – C.W.S., H.W.C., H. – Prosecutorial Discretion (P1)
21. 18 BAC 085 – V.H. & V.N.S. – Prosecutorial Discretion (P3)
22. 18 BAC 093 – M.N.M., D.M.C.R., M.T.&S. – Prosecutorial Discretion (P2)

Motion carried unanimously.

Monitoring Matters

Cornell Stallworth – Requesting Reinstatement of Full Licensure

MOTION: Vicky McNally moved, seconded by Kayla Cwojdzinski, to grant the request of Cornell Stallworth for reinstatement of full licensure. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Vicky McNally moved, seconded by Georgianna Halverson, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 12:51 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Vicky McNally moved, seconded by Georgianna Halverson, to affirm all motions made and votes taken in closed session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Vicky McNally moved, seconded by Megan Jackson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:57 p.m.