



Andy Beshear
Governor
Joni Upchurch
Executive Director

BOARD MEETING MINUTES

November 4, 2024

9:00 a.m.

Call to Order: The Kentucky Board of Cosmetology (KBC) convened virtually and in person at 9:07 am on November 4, 2024, at 500 Mero Street, Room 133 CE, Frankfort, KY 40601.

Roll Call/Declaration of Quorum:

Kerry Harvey, Lianna Nguyen, Michael Carter, and Lindsey Morgan were present.

Mickey Hobbs was absent.

Staff Present:

Joni Upchurch, Jacob Walbourn, Jennifer Wolsing, Maxine McDonald, Nick Van Over, and Haley Wible.

In Person Guests Present:

Jessica Musselman, Di Tran, Jordan Pruitt, Kay Swanner, Brady Brock.

Speakers:

- De'Leisa Graham – Absent

Approval of minutes: October 14, 2024

Lindsey Morgan motioned to approve October minutes as is. Michael Carter seconded the motion and it carried unanimously.

Review of September and October 2024 Expenditures and Revenues:

Kerry Harvey expressed that the Board has a continuing interest in gaining a better understanding of KBC's financials. Joni Upchurch updated the Board that Fiscal Manager Kelly Childers will have the requested financial reports prepared for their review at the December 2024 meeting.

Legal Counsel Updates:

Jacob Walbourn announced the regulation amendment draft is underway. Jacob projects that the draft will hopefully be ready for the Board's review at the December 2024 meeting.

Executive Session – KRS 61.810 (1)(c)(G)(J):



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Chairman Harvey prompted a motion to enter closed session pursuant to KRS 61.810 (1)(c)(G)(J) – including Board members, Legal Counsel, and the Executive Director. Lindsey Morgan moved to enter executive session at 9:15 am. Michael Carter seconded the motion. Motion carried; unanimously.

Upon returning, Lindsey Morgan motioned to exit closed session at 11:57 am; Michael Carter seconded the motion. Motion carried; unanimously.

APPLICATIONS, RECONSIDERATIONS, COMPLAINTS & INVESTIGATIONS COMMITTEE REPORT:

Kerry Harvey, Chairman, entertained a motion to accept the Complaints Committee recommendations. Michael Carter motioned to accept Complaints Committee recommendations with the below adjustments on items 4.A and 7.C. Lindsey Morgan seconded the motion. Motion to approve with adjustments carried unanimously.

October 31, 2024

Applications and Reconsiderations (5)

- 1.A Tara Coslow – ADA Requesting Further Attempts – Deferred to Legal Counsel for further review.
- 2.A Hilary Leaf – OOS Apprentice – 1500 hours required then take and pass exams – Approve with conditions.
- 3.A Huong Thi Pham – OOS Out of Country – Approve.
- 4.A Di Tran – Plan of Action for Second Location. **Adjustment:** Michael Carter motioned to accept second location request if no further violations are committed and an inspection with possibility of an audit within 60 days. Lindsey Morgan seconded with the clarification that all required corrections from previous violations must be remedied within said 60 days. Lianna Nguyen abstained, motion carried.
- 5.A Jordan Burns – Deferred from October – Hours Expired – Denied.

Felonies (1)

- 1.F Kimberly Cox – Felony – Approve.

C and D (17) – From October - Sent

- 1.CD – Fayette Co – Alinson Blanco / Co. Attorney
- 2.CD – Fulton Co – Apple Bottom Non-Surgical
- 3.CD – Madison Co – Cat Nails / Co. Attorney
- 4.CD – Spenser Co – Emily Campanell / Co. Attorney – 2nd Notice
- 5.CD – Fayette Co – Genesis Tovas / Co. Attorney
- 6.CD – Jefferson Co – Iris Pereira / Co. Attorney
- 7.CD – Jefferson Co – Jaya Garrett / Co. Attorney



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- 8.CD – Marshall Co – Katie Williams / Co. Attorney
- 9.CD – Warren Co – Katy Cusick / Co. Attorney – 2nd Notice
- 10.CD – Christian Co – Keirston Elmore / Co. Attorney
- 11.CD – Scott Co – Landyn King / Co. Attorney
- 12.CD – Pulaski Co – Lash Out by Samantha / Co. Attorney
- 13.CD – Madison Co – Lash Out with Jazzy / Co. Attorney
- 14.CD – Powell Co – Lashed Out / Co. Attorney
- 15.CD – Jefferson Co – Locdness Mama / Co. Attorney
- 16.CD – Scott Co – Nailed It
- 17.CD – Wayne Co – Sandy Pena / Co. Attorney

APPEALS (5)

- 1.AP Katie Sisson – OOS Denied
- 2.AP Juliea Love – OOS Denied
- 3.AP Kendra Arthur – Invalidated Hours
- 4.AP Dylan Smallwood – Invalidated Hours
- 5. Jessica Musselman – Revocation of Licensure

CASE LIST (18)

- 1.C – UNLIC LOC – Greenup Co – Issue warning letter first, then fine if violation persists.
- 2.R – Request for Examination – McKenzie Jones – Deny
- 3.C – BS – Jefferson Co – EC – Deny
- 4.C – BS – Jefferson Co – Expired License – Issue warning letter to facility and local police department, then fine if violation persists.
- 5.C – NS – Bourbon Co – Passed Inspection - Dismiss
- 6.C – Bourbon Co – UNLIC SERVICES – Issue warning letter first, then fine if violation persists.
- 7.C – NS – Boone Co – **Adjustment:** Lindsey Morgan motioned to issue a warning letter, then fine if violation persists. Michael Carter seconded, Lianna Nguyen abstained. The motion carried.
- 8.C – UNFOUND – Campbell Co – Dismiss
- 9.C – BS – Fayette Co – Dismiss



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- 10.C – UNLIC – BS – Knox Co – Dismiss
- 11.C – UNLIC – BS – Campbell Co – Dismiss
- 12.C – UNLIC LOC – BS – Jefferson Co – Dismiss
- 13.C – UNLIC – BS – Barren Co – Dismiss
- 14.C – UNLIC LOC – BS – Greenup Co – Dismiss
- 15.C – UNLIC LOC – BS or NS – Boyle Co – Dismiss
- 16.C – UNLIC LOC – NS – Jefferson Co – Dismiss
- 17.C – UNLIC LOC – NS – Jefferson Co – Dismiss
- 18.C UNLIC – Daviess Co – PK – Dismiss

Executive Director Updates:

Board Chair Kerry Harvey updated the Board that LOIC staff have provided KBC with a draft of their investigation, including findings and recommendations. Kerry informed all that KBC will go before LRC on November 14th, 2024.

Joni Upchurch gave the following updates:

- PSI school training will be held on November 12th, 2024, and proctor training on November 13th, 2024.
- Director and current Legal Counsel are working on PSI contract, PSI has already taken over the instructor exam proctoring.
- PSI is now providing all accommodations requested by candidates, including allowing a word-for-word English translation dictionary for non-native language speakers.
- PSI is working on providing the shampoo stylist exam in multiple languages.
- Director and staff are working on relocating the KBC office to a more publicly accommodating location.
- The General Counsel position has been closed.
- All inspector vacancies have been filled.
- The Director and current Legal Counsel are working on several different contracts.
- The Director is working with the system's project team for system updates and several other requests.
- The Director and staff are working with PPC for budget review, will be presented at December meeting.
- The Director and staff are working with COT for KBC phone and website updates.
- Staff have completed the required SCRA training.

Lianna Nguyen requested staff endeavor to correct the language listed at the bottom of score reports emailed to candidates by PSI after completion of examination to reflect the current law.



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New Business:

- Updates on LOIC report.
 - Addressed by Chairman during Executive Director updates.
- Updates on SCRA training.
 - Kerry Harvey informed the Board that new amendments to the federal Servicemember Civil Relief Act (SCRA), were adopted in January 2023. The Chairman acknowledged that an applicant's transfer was mishandled by KBC staff. Chairman Harvey confirmed staff have been properly trained and are now in compliance.
 - Kerry Harvey requested the Board adopt a policy to honor the SCRA moving forward and to give priority to the license transfer applications of servicemembers and servicemembers spouses. Michael Carter made a motion for the KBC to adopt both policies. Lindsey Morgan seconded the motion; carried unanimously.
- Begin preparation for 2025 Board calendar.
 - Jacob Walbourn prompted the Board to review their calendars for the 2025 Board meetings. Lindsey Morgan said that she liked meetings on Mondays. Kerry Harvey asked the Executive Director to prepare a draft for dates and for Board members to inform staff of dates that don't work for their schedule. Jacob Walbourn offered to work with Joni Upchurch for calendar preparation. Joni Upchurch asked if the Board desired to meet in January 2025. Kerry Harvey expressed his interest in only skipping one month per year, preferably in July during the renewal period.

Next Meeting: December 9, 2024, at 1:30 pm

Old Business:

- Regulations review committee – establish – neglected to finalize in June.

Kerry Harvey asked to not form an official committee for regulations review.

- Discussion on board policies and practices handling unlicensed facilities and individuals.

Approval of Travel and Per Diem:

Lindsey Morgan motioned to approve; Michael Carter seconded. Motion carried unanimously.

ADJOURNMENT:

Lindsey Morgan motioned to adjourn the meeting at 12:20 pm. Michael Carter seconded the motion. Motion carried unanimously.



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APPROVED:

PRESIDING OFFICER:

Kerry Harvey, Chairman

Minutes prepared by Haley Wible, Executive Administrative Secretary.