



**Andy Beshear**  
Governor

**Julie M. Campbell**  
Executive Director

**BOARD MEETING MINUTES**  
**June 10th, 2024**

**Call To Order:**

The Kentucky Board of Cosmetology (KBC) convened in person and virtually at 9:04 am on June 10, 2024, at 500 Mero Street, Room 133CE, Frankfort, KY 40601

Chairman Harvey thanked his friends at the Public Protection Cabinet for allowing us to use their space.

**Roll Call:**

Kerry Harvey, Lindsey Morgan, Mickey Hobbs, Lianna Nguyen, Joni Upchurch

**Staff Present:** Tanya Shroust, Jacob Walbourn, Maxine McDonald, Kelly Childers

**Approval of Minutes:**

Chairman Harvey entertained a motion to approve the minutes from the May 13, 2024, regular KBC board meeting.

Lindsey Morgan moved to approve the minutes, as presented; Lianna Nguyen seconded the motion. Motion carried; unanimous.

**Officer Elections:**

Chairman Harvey entertained having new board elections, or waiting until the two new board members are appointed by the Governor.

Lindsey Morgan moved for the KBC to continue as is with current chair and elect other officers when we gain a full board; Mickey Hobbs seconded the motion. Motion carried; unanimous.

**Guest Speakers:**

- **Mikayla Ford** – decided not to speak
- **Jordan Pruitt** – would like the board to review the accreditation of schools
- **Mourine Smith** – concerns with uploading current student hours
- **Tyuen Trihn** – out of state license transfer from CA
- **Lawana Wallen Brock** – issues with executive director and previous board counsel

**Chairman Harvey entertained entering into closed session pursuant to KRS 61.810 (1)(c)(1)(f) – board members and attorney only.**

Lindsey Morgan moved for the KBC to enter into closed session at 10:00 am; Joni Upchurch seconded the motion. Motion carried; unanimous.

Lindsey Morgan moved for the board to exit closed session at 2:41 pm; Joni Upchurch seconded the motion. Motion carried; unanimous.

Lindsey Morgan made a motion to approve all complaints as recommended by the complaints committee except for 18, 25, 26, 31, 51, 54, 70 and school complaint #1. Mickey Hobbs seconded the motion; Motion carried; unanimous.

Complaints for further KBC review:

18.) Lindsey Morgan made motion to dismiss as moot; Mickey Hobbs second the motion. Motion carried; unanimous.

25.) Lindsey Morgan made the motion to fine for 1 count unlicensed person for \$750, and 1 count of a prohibited item for \$1,500; Lianna Nguyen seconded the motion. Motion carried; unanimous.

26.) Mickey Hobbs made a motion to fine for 1 count unlicensed person for \$750; Joni Upchurch seconded the motion. Motion carried; unanimous.

31.) Joni Upchurch made a motion to send a cease-and-desist letter; Lindsey Morgan seconded the motion. Motion carried; unanimous.

51.) Lindsey Morgan made a motion to send complaints to local county attorney's offices, Joni Upchurch seconded the motion. Motion carried; unanimous.

54.) Joni Upchurch made motion to send a cease-and-desist letter; Lindsey Morgan seconded the motion. Motion carried; unanimous.

70.) Mickey Hobbs made motion to postpone the complaint review and decision until next KBC meeting, Lindsey Morgan seconded the motion. Motion carried; unanimous.

1.SC.) - School settlement, Lindsey Morgan made the motion to postpone; Mickey Hobbs seconded the motion. Motion carried; Lianna Nguyen abstained.

Chairman Harvey entertained a motion to review the complaints procedures, asked the present attorney Jacob Walbourn to provide a working draft of the current complaint procedure processes.

Joni Upchurch made a motion to review and revise the current complaints procedures; Lianna Nguyen seconded the motion. Motion carried; unanimous.

Chairman Harvey entertained that the KBC engage with an outside law firm to assist with 13B administrative hearings and will need more legal assistance in the future as more complaints arrive. Lindsey Morgan made motion to authorize the KBC to enter into an agreement with an outside law firm and/or PPC for assistance with legal issues; Lianna Nguyen seconded the motion. Motion carried; unanimous.

Chairman Harvey advised the board on legislative processes and the need for review of KBC current regulations and the accreditation of schools. Suggested we make a committee to review the current regulations and accrediting status. Chairman Harvey appointed Mickey Hobbs and Joni Upchurch as the regulations committee members to review all current KBC regulations and decided if they want to appeal, amend, or leave as-is. – **NO 2<sup>nd</sup> or vote??**



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Chairman Harvey confirmed all board members were being compensated for attending all board meetings and committee meetings. KRS 317A.030 states - *Each member of the board shall receive one hundred dollars (\$100) per day for each day of attendance at board meetings and shall be reimbursed for necessary traveling expenses and necessary expenses incurred in the performance of duties pertaining to official business of the board.* –

Lianna Nguyen made a motion to compensate board members for their time to the board; Lindsey Morgan seconded the motion. Motion carried; unanimous.

**Signature Authority:**

Defer until a full board is appointed.

**Committee Meeting appointments**

Defer until a full board is appointed.

**Financial Statements**

KBC reviewed the financial statements and accepted the statements as presented.

**Executive Director Updates**

None

**Old Business**

None

**New Business**

Chairman Harvey entertained entering a business arrangement with the Department of Professional Licensing.

Lianna Nguyen made a motion to authorize Chairman Kerry Harvey and Jacob Walbourn to approach the Department of Professional Licensing for assistance with fiscal and HR; Joni Upchurch seconded the motion. Motion carried; unanimous.

KBC meeting schedule is set and any additional board meetings will be special board meetings.

Mickey Hobbs made a motion to post and fill the vacant staff positions; Joni Upchurch seconded the motion. Motion carried; unanimous.

Mickey Hobbs made a motion to continue with the hearing officers' contract with the Kentucky Office of the Attorney General for FY25-FY26; Lianna Nguyen seconded the motion. Motion carried; unanimous.

The KBC discussed moving forward with passport style photo only for license renewals for 2025 and licensees not having to upload ID's.

The KBC discussed reviewing all regulations and possibly implementing and providing law books for schools.

Chairman Harvey discussed multiple languages for the theory exam. This was not included in SB 14. This is not a requirement; it is an option of the board. It would be a KBC policy and not a KBC regulation.



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Lianna Nguyen made a motion to implement the PSI state testing in 6 pre-approved languages, with possibly adding Cambodian and Ukrainian, at an additional cost; Mickey Hobbs seconded the motion. Motion carried; unanimous.

Lianna Nguyen made a motion to approve the travel of KBC staff to attend the 2024 Annual SA User Conference in Baltimore, MD, September 2024; Kerry Harvey seconded the motion. Motion carried; unanimous.

Mickey Hobbs made a motion to waive KBC members and staff personal license fees for the upcoming July 2024 renewals; Linsey Morgan seconded the motion. Motion carried; unanimous.

Lindsey Morgan made a motion to defer the fees for other state government agencies while the database is still under construction; Joni Upchurch seconded the motion. Motion carried; unanimous.

Mickey Hobbs made a motion to approve continued payments for KBC rent/utilities/services and continue existing KBC contracts for FY25-FY26 – United Mail, KOAG, KCTCS, PSI, NIC, PPC, Carasoft, outside legal services; Lindsey Morgan seconded the motion. Motion carried; unanimous.

Lianna Nguyen discussed and shared information with the KBC board members regarding a possible 600 hour advanced nail technician program.

KBC staff will bring a proposal to the September KBC board meeting regarding possible biannual renewals for licensing.

The request of an out of state applicant approval based on the length of the current out of state certification would require a statutory change. KBC board has requested staff bring specific statutory change amendment draft and/or a proposal for license transfer for 2 years or more taken with an exam approved license.

Lianna Nguyen discussed the storage of implements and requested KAR 12:010 regulations be added to the KBC September board meeting agenda.

KBC board requested a proposal from staff regarding the implementation of fees and guidelines to be added to the KBC September board meeting agenda.

Lianna Nguyen made a motion to appoint Joni Upchurch as the Kentucky state commissioner to serve on the Cosmetology Licensure Compact. This compact currently has seven member states (Alabama, Arizona, Colorado, Kentucky, Maryland, Tennessee, and Virginia) and all member states are to nominate/appoint their commissioner. Lindsey Morgan seconded the motion to nominate Joni Upchurch. Motion carried; unanimous.

#### **Adjournment**

There being no further business, Chairman Harvey entertained a motion to adjourn.

Mickey Hobbs made a motion to adjourn; Joni Upchurch seconded the motion. Motion carried; unanimous.



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The meeting adjourned at 4:13 pm

Approved: *9/19/24*  
Presiding Officer:

  
Kerry Harvey, Chairman

Minutes prepared by Kelly Childers, Fiscal Manager//HRG