



State of New Hampshire
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
DIVISION OF LICENSING AND BOARD ADMINISTRATION
Board of Barbering, Cosmetology and Esthetics
7 Eagle Square, Concord, NH 03301-2412
Phone: 603-271-2152

PUBLIC MINUTES
Monday, May 16, 2022

The May 16, 2022 Board meeting was called to order at 9:00 a.m. at 7 Eagle Square, Concord, NH with the following members present:

Kimberly Hannon, Vice Chair, Cosmetologist Member
Sarah Partridge, Public Member
Kassie Dubois, Esthetician Member

Absent:

Jeanne Chappell
Joshua Craggy

MINUTES

The Board approved the public minutes of April 11, 2022 as written on a motion from Sarah Partridge, seconded by Kimberly Hannon.

HEARINGS

Moderno Barber Shop

The hearing commenced at 9:27 a.m. The Respondent and his Attorney appeared at the meeting via zoom. After the Hearings Examiner explained the proceedings to the parties, the Respondent's Counsel informed the Board of the Respondent's intention to agree to the terms outlined in a Settlement Agreement previously proposed. The Hearings Examiner determined that the hearing was no longer required, and the record was closed at 9:38 a.m.

Michael Webber

The hearing commenced at 9:40 a.m. with the Respondent appearing via zoom. Witnesses were sworn in and testimony was received from Sandra Hodgdon, Tracey Pappas, and Michael Webber. The hearing was closed at 10:45 a.m.

After reviewing all the documentary evidence, drawing all reasonable inferences therefrom, and taking into account the presentation and demeanor of all the witnesses, the Board finds that Hearing Counsel has met his burden of proof that the Licensee has committed professional misconduct. On a motion from Kimberly Hannon and a second by Sarah Partridge, the Board voted unanimously to impose an administrative fine of \$550 pursuant to RSA 313-A:22 and Administrative Rule 402, and to subject the licensee to further discipline as outlined in the final decision and order.

LEGISLATION/RULES

SB 438

Senate Bill 438 was amended and passed on the House floor to add nonresident licensure and the niche beauty services exemptions to a bill that was originally relative to state procurement policies intended to promote the use of American materials. The bill will have to go back for a Senate vote on the amended bill.



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Plc 200s

The Board reviewed Initial Proposal of Plc 200s. On a motion by Kimberly Hannon, and a second by Kassie Dubois, the Board moved to adopt consistent rules regarding practice and procedure.

Plc 1002

The Board reviewed Initial Proposal of Plc 1002 regarding application and license fee changes. The Board took no action noting that the Board voted to approve the changes at a previous meeting.

ENFORCEMENT

The Board reviewed an updated proposed Inspection Checklist inclusive of previous Board feedback that OPLC Enforcement is requesting to have posted to the Board's web page. They Board also reviewed a request from OPLC Inspectors to have an email notification sent to all licensees notifying them of the eye wash station requirement. On a motion by Kassie Dubois, and a second by Sarah Partridge, the Board voted to approve both documents.

SETTLEMENT AGREEMENT(S) & FINES PAID:

On a motion by Sarah Partridge, and a second by Kassie Dubois, the Board voted to approve the following settlement agreements reviewed during non-public session;

- 63 Park Place, Tricia Poehler - Signed settlement agreement & \$150.00 fine paid
- Anna Nails, Thuy Nguyen - Signed settlement agreement & \$650.00 fine paid
- Ava Nails, Angel Pham - Signed settlement agreement & \$849.00 fine paid
- Barbary's Barber Shop - Signed settlement agreement & \$250.00 fine paid
- Bein Soign Salon - Signed settlement agreement & \$75.00 fine paid
- Bellawinni Salon - Signed settlement agreement & \$102.00 fine paid
- Great Clips - Signed settlement agreement & \$250.00 fine paid
- Planet Fitness - Signed settlement agreement & \$100.00 fine paid
- Purelux Nails - Signed settlement agreement & \$856.00 fine paid
- Cutting Edge Suites - Signed settlement agreement & \$60.00 fine paid
- Smart Style - \$500.00 fine paid. No Settlement Agreement
- Super Cuts - \$150.00 fine paid. No Settlement Agreement
- The People's Barbershop - \$150.00 fine paid. No Settlement Agreement



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5/16/22

Motion to commence non-public session: 11:14 a.m.

On the motion of Sarah Partridge, seconded by Kimberly Hannon, the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and noting that such a non-public session is authorized by RSA 91-A: 3, II (c), RSA 91-A: 3, II (e), RSA 91-A: 5, IV, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present. The Board returned to public session at 1:15 p.m. on the motion of Sarah Partridge and second by Kassie Dubois.

The meeting adjourned at 1:15 p.m.

NON-PUBLIC SESSION: 11:14 a.m.

[Minutes kept separately]

Motion to keep minutes of non-public session confidential:

Upon the motion of Sarah Partridge, seconded by Kimberly Hannon, the Board voted to withhold and seal all the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a Board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.