

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION  
STATE OF NEW HAMPSHIRE  
DIVISION OF HEALTH PROFESSIONS  
BOARD OF BARBERING, COSMETOLOGY, & ESTHETICS

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**BOARD OF BARBERING, COSMETOLOGY & ESTHETICS  
PUBLIC MINUTES OF OCTOBER 15<sup>TH</sup>, 2018 MEETING**

Members present: Holly Rodrigues (HR), Joshua Craggy (JSC), Jeanne Chappell (JC), Kim Hannon (KH) and Kassie DuBois (KD).

Meeting called to order at 9:15 am.

Upon the motion of JSC and the second of KH, the Board voted to approve the minutes of the September 10, 2018 meeting. AIF

**APPEARANCES:**

Doreen Whittenberg addressed the Board regarding the Federal Grant. Ms. Whittenberg is the OPLC liaison for the grant. She gave the Board some detail on her experience in state government. Ms. Whittenberg previously worked for the Department of Administrative Services and has experience with budgets and contracts. Ms. Whittenberg retired and returned back to the state part-time at the OPLC. Ms. Whittenberg states she was the administrator for the LADAC and Chiropractic Board. She stated she was given the LADAC Board because it was a mess and Peter Danles needed her to fix it. Ms. Whittenberg stated she took LADAC from a “red-headed step child to a beautiful blonde”.

Ms. Whittenberg informed the Board that the grant had been approved by the Governor and Executive Council. She also informed the Board that a Request for Proposal (“RFP”) was put on the OPLC website to find a vendor to implement the grant. An organization named CLEAR was the only applicant for the RFP. The contract with CLEAR is scheduled to go before the Governor and Executive Council on 10/17/18 for approval. CLEAR would be scheduled for 9 visits during the review. HR asked Ms. Whittenberg for a copy of the RFP.

Ms. Whittenberg assured the Board that this process was to improve efficiency and process flow, standardize processes and to help the Board. She stated the Board would be part of the process and no changes would be made without Board input. She further stated she would be working full time and directly with the board administrators during the process. She further assured the Board that they were not a target. She explained the legislative process to the Board and how the

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Board would be made aware of any deregulation and how the Board would have to be a part of it.

Ms. Whittenberg spoke to the Board about NCLS or the National Conference of State Legislatures which is taking place November 28 through November 30, 2018 in Florida. The Board Director is not available to attend. JC asked Ms. Whittenberg if a Board member could go in her place. Ms. Whittenberg stated she would look into in and to get her information on who would be attending. Ms. Whittenberg stated that several OPLC employees were going and the OPLC asked a state representative to attend as well. The NSCL is paying for all attendees.

Ms. Whittenberg later returned to give the Board a copy of the RFP and asked the Board to keep the information confidential.

The Board held a disciplinary hearing for Andrew Dinh.

The Board held a disciplinary hearing for Yen Thi Phan and Andy Phan.

The Board went into non-meeting to briefly meet with counsel.

**CORRESPONDENCE:**

The Board reviewed a waiver request from Jennifer Tran to reduce or waive a fine of \$1477.00 imposed on 8/23/18. Upon the motion of KH and the second of JC, the Board voted to deny the request. AIF

**DISCUSSIONS:**

The Board discussed having tablets or laptops for the inspectors to conduct their inspections. The Board weighed the pros and cons of the option and had some questions. The concerns are internet availability and how the inspection form would be printed. Upon the motion of JSC and the second of JC, the Board voted to table until more information is obtained. AIF

The Board reviewed an email from Representative Brandon Phinney stating he is proposing to allow cosmetology students to take a test in school and eliminate the state board testing. He would also like to make the board advisory. Rep. Phinney further stated in the email that occupational licensing reform is not good for the job market and reform is one of his top priorities.

The Board reviewed a request from a licensee to use the plasma pen. The pen appears to be some type of laser which burns the surface of the skin. Upon the motion of HR and the second of JC, the Board voted this is not within the scope of practice for any of the Board's licensees. AIF

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**OLD BUSINESS:**

None

**NON-PUBLIC SESSION**

**Upon the motion of HR and the second of JC, The Board, by roll call vote, resolved to conduct a non-public session for the purpose of discussing alleged licensee misconduct and licensees' criminal convictions. Non-public session is authorized by RSA 91-A:3 II (c), and the Board's executive and deliberative privileges. The Board voted as follows: Holly Rodrigues, Jeanne Chappell, Joshua Craggy, and Kassie Dubois all voted yes. The Non-Public session began 1:55 pm and ended at 2:30 pm.**

**Upon the motion of HR and the second of JC, the Board, by roll call vote, resolved to withhold 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. The Board voted as follows: Holly Rodrigues, Jeanne Chappell, Joshua Craggy, and Kassie Dubois all voted yes.**

Meeting adjourned at 3:00 pm.

Board meetings scheduled for 2018 are as follows:

January 8, February 12, March 12, April 9, May 14, June 11, August 13, September 10, October 15, November 12, December 10