

BOARD OF BARBERING, COSMETOLOGY & ESTHETICS



MINUTES of Emergency Meeting April 27, 2020

The April 27, 2020 Emergency Telephone Conference meeting of the Board of Barbering, Cosmetology, & Esthetics convened at 10:30 a.m. with the following members present:

Holly Rodrigues, Manicurist Member, Chair
Jeanne Chappell, Cosmetology School Owner Member
Joshua Craggy, Barber Member
Dana Pierce, Owner of Tanning Facility Member
Sarah Partridge, Public Member
Kassie Dubois, Esthetician Member
Kimberly Hannon, Cosmetologist Member

Absent: None

PUBLIC MINUTES

ADMINISTRATIVE

It was determined that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governors Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically

1. The Board voted to approve the public minutes of March 16, 2020 on a motion from Jeanne Chappell with a second by Dana Pierce. A roll call vote was taken and the motion passed unanimously.
2. The Board voted to approve the public minutes of April 7, 2020, as amended, on a motion from Jeanne Chappell with a second by Dana Pierce. A roll call vote was taken and the motion passed unanimously.
3. Rules:
 - a. The Board reviewed changes to the final proposal of Bar 302.05, 302.07, 404.04, and 404.05. Upon a motion from Jeanne Chappell with a second by Kassie Dubois the Board voted to approve the rules conditionally approved by the Joint Legislative Committee on Administrative Rules. A roll call vote was taken and the motion passed unanimously. Board Chair Holly Rodrigues will sign the letter to the Division of Administrative Rules and send them Attorney Thomas Broderick to be filed.
 - b. Bar 700 regarding mobile barbershops – Due to COVID-19 this is still on JLCAR's agenda.

Law:

- a. HB 1416 authorizing certification for microblading of eyebrows which would amend RSA 314-A:2 and 6 – **Sponsor Representative McGuire and 4 others – Voted February 19, 2020 Ought to Pass.**
 - b. HB 1367 – relative to out-of-state applicant’s occupational licensure or certification – Pam New President of the NH Cosmetology Association is requesting that the Board provide their position on the bill. The Board voted on a motion from Jeanne Chappell with a second by Dana Pierce to table this until the next regularly scheduled meeting. The motion carried by a roll call vote.
4. The Board discussed protocols that would facilitate public safety when restrictions on operations placed upon businesses are lifted. E-mails were provided to the Board from licensees Sarah McClennen and Tracy Mushow in which they requested to be allowed to reopen and what types of guidelines they thought should be in place. In addition to the e-mails the Board reviewed the following documents:
- An e-mail from Dana Pierce;
 - A print out of National Conference of State Legislatures web page announcing an online Webinar titled “COVID-19: Guidance for Easing State Restrictions Webinar”;
 - and
 - BARBICIDE – Health and Public Safety Recommendations for the Reopening of the Professional Beauty Industry.

The meeting was held using the Zoom platform. In attendance were approximately 300 members of the public which included staff and Board members. The Board acknowledged that they understood the anxiety of members of the Cosmetology community regarding the prospect of opening up the profession during the first phase of getting the State’s economy up and running. With that in mind the Board discussed protocols for reopening and what that time frame might look like. Some of the precautions that were discussed were as follows:

- Requiring webinar classes in infection control and including one that would be geared strictly toward COVID-19;
- Facemasks and gloves that are non-latex;
- Face Shields;
- Disposable Aprons;
- Washing hands and hand sanitizer;
- Plexiglass partitions between service areas;
- No people/magazines etc. in the waiting room;
- Services

5. Brianna Herman asked the Board if the Hyaluron Pen was allowed to be used by licensed Estheticians in the State of New Hampshire.

The Board discussed how Hyaluron Pen which is breaking the skin and dependent on how much pressure you place would depend on the depth. They then voted on a motion from Holly Rodrigues with a second by Kassie Dubois to respond to Ms. Herman that this was not an approved device for Estheticians. The motion carried unanimously by roll call vote.

6. The Board reviewed pass/fail percent chart submitted by DL Roope. This was informational

ADJOURN: on a motion by Jeanne Chappell with a second by Sarah Partridge, the motion to adjourn at 4:50 p.m. carried in the affirmative.

Minutes respectfully submitted by Tina M. Kelley, Board Administrator

04/27/20

Motion to commence non-public session:

On the motion of Kimberly Hannon with a second by Holly Rodrigues, 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.

NON-PUBLIC SESSION:

[Minutes kept separately]

Motion to keep minutes of non-public session confidential:

Upon the motion of Dana Pierce with a second by Sarah Partridge, the Board voted to withhold and seal 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.