



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, December 19, 2022

The December 19, 2022, Board meeting was called to order at 9:26 a.m. at 7 Eagle Square, Concord, NH with the following members present:

Jeanne Chappell, Chair, School Owner Member - **Absent**
Joshua Craggy, Barber Member - **Absent**
Kimberly Hannon, Vice Chair, Cosmetologist Member
Sarah Partridge, Public Member
Anne Dalton, Manicure Member
Donna Woodsom, Esthetic Member
Talia Wilson, Board Administrator
Tracey Pappas, Board Administrator
Charlene Anstead, Board Administrator
Sherri Philips, Board Counsel

The below times are notated for breaks taken by the Board
11:02am – Returned at 11:15am

MINUTES

The Board approved the public minutes of November 28, 2022, as written on a motion from Sarah Partridge and seconded by Kimberly Hannon, the motion passes with a roll call vote.

HEARINGS

VIP Salon OK Nails 22-BAR-0018

Hearings Officer: Nikolas Frye
Hearing Counsel: Marissa Schuetz
Witnesse(s): Sandra Hodgdon
Respondant: Quang Luu

Hearing commenced at 9:29am. Attorney Marissa Schuetz called Inspector Sandra Hodgdon as a witness who gave testimony regarding an inspection that took place on July 7, 2022, where violations were found. Respondent Quang Luu gave testimony requesting the Board waive the violation points related to first aid supplies. There were no questions from the Board for either witness. Hearing closed at 9:48am. After



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reviewing all the documentary evidence, in non-public session, 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 by Kimberly Hannon and second by Sarah Partridge, the Board voted unanimously to suspend Mr. Luu's Manicure license and VIP Salon OK Nails shop license pending completion of the terms as outlined in the final decision and order, including passing a reoping inspection. Impose an administrative fine of \$500.00 be paid in full in 30 days and a fine of \$876 to be paid in full in 180 days, and 3 years probation with any violation of the Boards rules relating to sanitation and hygiene over 100 points shall constitute misconduct and 10 hours of programs of continued education in the areas of sanitation, sterilization, and disinfection control to be completed within thirty 30 days.

Premier Nails 22-BAR-0022

Hearing continued

Hearing Counsel: Collin Philips

Respondant: Nina Nga T Nguyen

The Board was notified that the scheduled hearing for Premier Nails was continued pending Board approval of a proposed settlement agreement submitted by Hearing Counsel. The Board review the settlement agreement in non-public session and then voted on a motion from Kimberly Hannon and second by Sarah Partridge, the Board voted unanimously to accept the agreement as submitted.

Elite Nails 22-BAR-0018

Hearing continued

Hearing Counsel: Marissa Schuetz

Respondant: Phuong Pham

The Board was notified that the scheduled hearing for Elite Nails was continued to a date to be determined.



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OLD BUSINESS

A. Prometric updated Cosmetology and Instructor content released July 2022

On a motion by Sarah Partridge and seconded by Donna Woodsom the Board voted to table until all Board members are present, so they are able to comment on the new submitted information.

ENFORCEMENT

None

NEW BUSINESS

A. Applications

1. **Jayne Marden Cosmetology license**
2. **Jennifer Gonzalez Cosmetology license**
3. **Phuong Do Manicure license**
4. **Sheri Raymond Cosmetology License**
5. **Quyen Diep Manicure License**
6. **Randee Eldridge Cosmetology license - Waive transcript requirement**
7. **Michele Moynihan Manicure license- Waive transcript requirement**
8. **Timothy McGlone Barber License- Waive transcript requirement**
9. **Tram Thi Phuong Nguyen Manicure license- Waive transcript requirement**
10. **Carrie Langley Cosmetology License- Waive transcript requirement**
11. **Lisa Squires Manicure license- Waive diploma requirement**

The Board approved the above applications on a motion by Sarah Partridge and seconded by Kimberly Hannon

12. Meagan Frink Request for Barber test

The Board conditionally approved the above request to sit for the Barber exam on a motion by Sarah Partridge and seconded by Donna Woodsom pending submission of independent proof of 8 years work experience per Bar 305.01(a)(2).

13. Braden Ayres-Weir Barber apprentice

14. Nicholas Harnden Cosmetology apprentice

The Board approved the above applications after review in non-public session.



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15. Polished Nails
16. Elite Nails
17. GT Nails
18. Star Day Spa

The Board denied the above shop applications after review in non-public session.

B. Review Sample Fitzpatrick Scale for Accuracy

The Board reviewed a request for a Fitzpatrick Scale be posted on the Boards webpage. With recommendation from Board Counsel the Board voted on a motion by Kimberly Hannon and seconded by Sarah Partridge to not post any variation on the webpage.

LAWS AND RULES

Discussion on Board Rules that need to be updated and added

The Board discussed that any recommendations for rule changes will be forwarded to Administrator Wilson, and she will have them on the next agenda for review and forward to Sarah Partridge for her meeting with the OPLC rules team.

Motion to commence non-public session: 9:50am

On the motion of Kimberly Hannon, seconded by Sarah Partridge 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 11:22 pm. on the motion of Sarah Partridge and second by Kimberly Hannon.

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.



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Motion to commence non-public session: 12:13pm

On the motion of Kimberly Hannon, seconded by Sarah Partridge 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 1:01 pm. on the motion of Sarah Partridge and second by Donna Woodsom.

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.

Adjournment

Kimberly Hannon made a motion to adjourn at 1:04 pm. Sarah Partridge seconded; motion passes with a roll call vote.