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**COSMETOLOGY EXAMINING BOARD**  
**Room 121A, 1400 East Washington Avenue, Madison**  
**Contact: Brittany Lewin (608) 266-2112**  
**April 4, 2016**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**9:30 AM**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes:**
  - 1. February 1, 2016 **(4-8)**
- C. Administrative Matters**
  - 1. Staff Updates
- D. Speaking Engagements, Travel, or Public Relation Requests**
  - 1. National Interstate Council of State Boards of Cosmetology Regional Meeting Travel Report
- E. Legislative and Administrative Rule Matters – Discussion and Consideration**
  - 1. Update on Legislation and Pending and Possible Rulemaking Projects
- F. Deliberation on Items Added After Preparation of Agenda:**
  - 1. Introductions, Announcements and Recognition
  - 2. Election of Board Officers
  - 3. Appointment of Board Liaison(s)
  - 4. Administrative Matters
  - 5. Education and Examination Matters
  - 6. Credentialing Matters
  - 7. Practice Matters
  - 8. Legislation/Administrative Rule Matters
  - 9. Liaison Reports
  - 10. Informational Items
  - 11. Disciplinary Matters
  - 12. Presentations of Petitions for Summary Suspension
  - 13. Petitions for Designation of Hearing Examiner
  - 14. Presentation of Proposed Stipulations, Final Decisions and Orders
  - 15. Presentation of Proposed Final Decision and Orders
  - 16. Presentation of Interim Orders

17. Petitions for Re-Hearing
18. Petitions for Assessments
19. Petitions to Vacate Orders
20. Request for Disciplinary Proceeding Presentations
21. Motions
22. Petitions
23. Appearances from Requests Received or Renewed
24. Speaking Engagements, Travel, or Public Relation Requests

**G. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

**H. Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

**1. Administrative Warnings**

- a) 15 BAC 053 – N.F.Y. **(9-10)**
- b) 15 BAC 053 – T.T.N. **(11-12)**
- c) 15 BAC 054 – R.S. **(13-14)**
- d) 15 BAC 054 – R.S.B.H.R. **(15-16)**
- e) 15 BAC 054 – S.K.R. **(17-18)**

**2. Proposed Stipulations, Final Decisions and Orders**

- a) 14 BAC 060 – Paul M. Cooper **(19-24)**
- b) 15 BAC 054 – Jennifer L. Ristow **(25-31)**

**3. Case Closures**

- a) 14 BAC 073 **(32-36)**
- b) 14 BAC 096 **(37-40)**
- c) 15 BAC 004 **(41-44)**
- d) 15 BAC 014 **(45-47)**
- e) 15 BAC 018 **(48-51)**
- f) 15 BAC 023 **(52-55)**
- g) 15 BAC 032 **(56-59)**
- h) 15 BAC 043 **(60-63)**
- i) 15 BAC 057 **(64-66)**
- j) 15 BAC 093 **(67-70)**

**I. Credentialing Matters**

1. Waiver Request(s)

**J. Deliberation of Items Added After Preparation of the Agenda**

1. Education and Examination Matters
2. Disciplinary Matters
3. Monitoring Matters
4. Professional Assistance Procedure (PAP) Matters
5. Petitions for Summary Suspension

6. Petitions for Designation of Hearing Examiner
7. Proposed Stipulations, Final Decision(s) and Order(s)
8. Administrative Warnings
9. Review of Administrative Warnings
10. Proposed Final Decisions and Orders
11. Orders Fixing Costs/Matters Related to Costs
12. Case Closings
13. Proposed Interim Orders
14. Petitions for Assessments and Evaluations
15. Petitions to Vacate Orders
16. Remedial Education Cases
17. Motions
18. Petitions for Re-hearings
19. Appearances from Requests Received or Renewed

**K. Consulting with Legal Counsel**

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

**J. Forfeiture Discussion**

**K. Board Member Training Presentation**

**ADJOURNMENT**

**NEXT MEETING: JUNE 20, 2016**

**COSMETOLOGY EXAMINING BOARD  
MEETING MINUTES  
February 1, 2016**

**PRESENT:** Kristin Allison (*via GoToMeeting,*) Vicky McNally, Suresh Misra (*via GoToMeeting,*) Gail Sengbusch, Denise Trokan, Dianna Wachter

**EXCUSED:** Lori Paul

**STAFF:** Tom Ryan, Executive Director; Nifty Lynn Dio, Bureau Assistant; and other department staff.

**CALL TO ORDER**

Vicky McNally, Chair, called the meeting to order at 9:31 a.m. A quorum of six (6) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Denise Trokan moved, seconded by Suresh Misra, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** Vicky McNally moved, seconded by Suresh Misra, to approve the minutes of November 16, 2015 as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers**

**BOARD CHAIR**

**NOMINATION:** Gail Sengbusch nominated Vicky McNally for the Office of Board Chair.

Tom Ryan called for nominations three (3) times.

Vicky McNally was elected as Chair by unanimous consent.

**VICE CHAIR**

**NOMINATION:** Gail Sengbusch nominated Kristin Allison for the Office of Vice Chair.

Tom Ryan called for nominations three (3) times.

Kristin Allison was elected as Vice Chair by unanimous consent.

**SECRETARY**

**NOMINATION:** Vicky McNally nominated Gail Sengbusch for the Office of Secretary.

Tom Ryan called for nominations three (3) times.

Gail Sengbusch was elected as Secretary by unanimous consent.

<b>2016 ELECTION RESULTS</b>	
<b>Board Chair</b>	Vicky McNally
<b>Vice Chair</b>	Kristin Allison
<b>Secretary</b>	Gail Sengbusch

**LIAISON APPOINTMENTS**

<b>2016 LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaisons</b>	Vicky McNally, Alternate – Dianna Wachter
<b>Monitoring and Professional Assistance Procedure (PAP) Liaison</b>	Denise Trokan Alternate – Gail Sengbusch
<b>Office of Education and Examinations Liaison</b>	Vicky McNally Alternate – Denise Trokan
<b>Screening Panel</b>	Gail Sengbusch Alternate – Vicky McNally
<b>Legislative Liaison</b>	Gail Sengbusch Alternate – Vicky McNally
<b>Travel Liaison</b>	Vicky McNally Alternate – Kristin Allison
<b>Administrative Rules Liaison</b>	Kristin Allison Alternate – Vicky McNally

**MOTION:** Denise Trokan moved, seconded by Dianna Wachter, to affirm the Chair’s appointment of liaisons for 2016. Motion carried unanimously.

**DELEGATION MOTIONS**

*Delegated Authority for Urgent Matters*

**MOTION:** Kristin Allison moved, seconded by Vicky McNally, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

### ***Delegated Authority for Application Denial Reviews***

**MOTION:** Suresh Misra moved, seconded by Gail Sengbusch, that the Board counsel or another department attorney is formally authorized to serve as the Board's designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

### ***Document Signature Delegation***

**MOTION:** Gail Sengbusch moved, seconded by Denise Trokan, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director or designee to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.

### ***Credentialing Authority Delegations***

**MOTION:** Vicky McNally moved, seconded by Suresh Misra, to delegate authority to the Credentialing Liaisons to make all credentialing decisions. Motion carried unanimously.

### ***Monitoring Delegations***

**MOTION:** Gail Sengbusch moved, seconded by Vicky McNally, to affirm the Chair's appointment of Denise Trokan as the Monitoring Liaison, and Gail Sengbusch as the alternate, to adopt the 'Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor; document as presented. Motion carried unanimously.

### ***Travel Delegation***

**MOTION:** Suresh Misra moved, seconded by Gail Sengbusch, to delegate authority to approve any Board Member travel to the Travel Liaison. Motion carried unanimously.

## **SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATION REQUESTS**

### **National Interstate Council of State Boards of Cosmetology (NIC) Regional Meeting, April 1-3, 2016 in Nashville, TN – Consider Attendance**

**MOTION:** Kristin Allison moved, seconded by Gail Sengbusch, to designate Vicky McNally to attend the National Interstate Council of State Boards of Cosmetology (NIC) Regional Meeting on April 1-3, 2016 in Nashville, TN and to authorize travel. Motion carried unanimously.

## CLOSED SESSION

**MOTION:** Suresh Misra moved, seconded by Denise Trokan, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Vicky McNally read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Kristin Allison – yes; Vicky McNally – yes; Suresh Misra – yes; Gail Sengbusch – yes; Dianna Wachter – yes Denise Trokan – yes. Motion carried unanimously.

The Board convened into closed session at 9:54 a.m.

## RECONVENE TO OPEN SESSION

**MOTION:** Kristin Allison moved, seconded by Dianna Wachter, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 10:14 a.m.

## VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

**MOTION:** Suresh Misra moved, seconded by Denise Trokan, to affirm all motions made in closed session. Motion carried unanimously.

## FORFEITURE DISCUSSION

**MOTION:** Dianna Wachter moved, seconded by Gail Sengbusch, to delegate Kristin Allison to work with DSPS staff to review forfeiture recommendations and provide an update at the next Board meeting Motion carried unanimously.

## DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

### Proposed Stipulations, Final Decisions and Orders

#### *14 BAC 031 – Lynn M. Moritz*

**MOTION:** Denise Trokan moved, seconded by Kristin Allison, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Lynn M. Moritz, DLSC case number 14 BAC 031. Motion carried unanimously.

## CASE CLOSINGS

**MOTION:** Suresh Misra moved, seconded by Gail Sengbusch, to close the following cases according to the recommendations by the Division of Legal Services and Compliance:

1. 14 BAC 039 (C.N.) **Prosecutorial Discretion (P7)**
2. 14 BAC 057 (G.S.&S. and K.P.P.) **Prosecutorial Discretion (P2)**

3. 15 BAC 024 (K.H.) **Insufficient Evidence (IE)**
  4. 15 BAC 029 (R.R.G.) **Prosecutorial Discretion (P7)**
  5. 15 BAC 073 (S.A.) **Insufficient Evidence (IE)**
  6. 15 BAC 078 (C.P.) **Insufficient Evidence (IE)**
  7. 15 BAC 103 (S.H.) **Insufficient Evidence (IE)**
- Motion carried unanimously.

**14 BAC 046 – S.S.S.&H.**

**MOTION:** Gail Sengbusch moved, seconded by Denise Trokan, to close DLSC case number 14 BAC 046, against S.S.S.&H. for **Prosecutorial Discretion (P5)**. Motion carried unanimously.

**14 BAC 046 – N.B.**

**MOTION:** Dianna Wachter moved, seconded by Denise Trokan, to close DLSC case number 14 BAC 046 against N.B for **Prosecutorial Discretion (P2)**. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Gail Sengbusch moved, seconded by Dianna Wachter, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:22 a.m.