

Washington State Cosmetology, Barbering, Esthetics, and Manicuring Advisory Board Meeting Transcript

April 27, 2023

Sandy Garcia:

So whenever you're ready to begin.

Frank True:

Perfect. All right, so let's go ahead and if it looks like we're pretty good to get started, then I'll go ahead and call the meeting to order. Are we good on that, Sandy?

Sandy Garcia:

Yes, we are. Thank you.

Frank True:

All right. So good morning everybody. My name is Frank True and I am the chair of the Cosmetology Hair Design, Barbering, Esthetics and Master's Esthetics and Manicuring Advisory Board. The time is now 10:01 AM on Thursday, April 27th, and I'm calling this meeting to order. The meeting is an open meeting and it's open to the public. We will take time at the end of the meeting for a brief public comment period. Participants, if you're interested, you will have up to three minutes to address the board.

As a reminder, when the public members, board members, please do not engage in the conversation with the observers. When listening to the public comments, we want the main focus to be on listening. As a courtesy, we encourage all the participants to mute themselves when you're not speaking to reduce the background noise, one challenge is remembered to unmute yourself when you are speaking. So for board members to help us capture the information correctly, I know that many of you are on video, but regardless if you're on the video or on your phone, please state your name when making the comments for our record keeping processes. So to be able to start us off, I'd like to be able to ask Sandra Schaffer to do a roll call confirming attendance of all the board members and staff. Once she's called your name, please respond by verbally stating here or present to confirm your attendance. So I'll turn it over to you.

Sandra Schaffer:

Thank you. And I'll start with you. Chair True.

Frank True:

I'm present.

Sandra Schaffer:

Thank you. Vice Chair Garcia?

Sandy Garcia:

Present.

Sandra Schaffer:

Thank you. Board member Reyes Nigard?

Board member Merkin?

Merkin:

Present.

Sandra Schaffer:

Thank you. Board member Rice?

Board member Olsha.

Board member Wilkins.

Board member Thomas.

Now I'll turn it back to you Chair True.

Sandy Garcia:

I hate to interrupt, but I don't think we have a quorum yet.

Frank True:

Yeah. So based on that then, if we don't have a quorum, then the rules state that we're not able to officially conduct board business then. Is that correct?

Sandy Garcia:

Correct. We cannot do official board business, which includes discussions and items requiring a vote. We can do one way information only communication, or... Yes, Shauna.

Shauna Martin:

I don't know if I missed the roll call because I was having a hard time connecting, but I'm here.

Sandy Garcia:

Oh, excellent. Thank you.

Frank True:

So that gets us to four and I believe we need six, right? So we're still short two board [inaudible 00:03:39] in attendance. Okay. All right. So I think that with that right there, and I know that hopefully within the next few minutes here we can have other board members join. But if that's the case, then if we're able to do, we're not able to vote or to be able to have discussion on the board topics, then what we would do is we could go ahead and continue to move through the agenda if you're okay with that to the areas that we can address. And then if we still do not have quorum at the end, then we'll go ahead

and move some of these agenda items to the next board meeting and follow up with these board members that aren't present. Okay.

Sandy Garcia:

Okay. That sounds like a great plan. So with that, we could go ahead and move to tab eight, which are reports, the staff reports.

Frank True:

Okay.

Sandy Garcia:

We could technically do 7.2 board member Shauna Martin's presentation. As long as there weren't any questions or discussion after the presentation. Because of her guest speaker already being attendance, she could give that presentation and then we could table any questions or discussion until the next meeting.

Frank True:

So for board member Martin, because you have a guest speaker and I think the content is very relevant to what's happening in the industry right now, I would like to be able to move forward with that. I think part of the presentation, the discussion is also a really key important portion of it. So if the board is comfortable, what I'd like to do is I'd like to move to the reports so we can give a few more moments for any additional members to join us. So we can have that discussion point if at that moment after the reports are completed and there are no additional directors or board members that are coming to this meeting, then we'll continue to proceed with the presentation, but we'll limit the discussion till the next meeting. Okay?

Sandy Garcia:

Excellent.

Frank True:

So is there any objections to moving forward in that manner? Okay, so hearing none, I'd like to be able to move over to agenda number eight under reports. And Sandy, if you're ready, I'd love to be able to start off with your report regarding the complaint case counts, we'll follow that by the licensee counts and some of the legislation updates. Okay?

Sandy Garcia:

Great. Thank you very much. So this is a new report that we are giving to the cosmetology board. This isn't something that we have done in the past, but we're trying to do some consistency between all of our boards and commissions. So this is a brand new report that we're giving, this is just a snapshot of the complaint cases for the first quarter of 2023. So as of April 18th, there are 70 open cases and 41 that have been sent for investigation. Total investigations complete and this is for all years is 140. For the complaint intake unit, there are three currently in our intake, 93 that are currently open in our investigation unit. Now this is all years, this isn't what has just been opened this quarter. This is what is currently opened and accumulative and there are 55 cases in our legal compliance unit.

As we move forward and are able to drill down on this data and get it analyzed a little bit better, I will be able to customize this report just a little bit more for the interests for this board. I can't take any questions, so no discussion about it, but this is for your information and I'm really excited to be able to start having this type of a report to give you. So let's go ahead and move on to the licensee count. So we have a grand total of 141 salon shops, 3,475 barbers, 34,015 cosmetologists, 12,157 estheticians, 706 hair designers, 1,585 instructors, 13,465 manicurists 2,644 master mathematicians, 21 mobile units, 160 personal services.

Shauna Martin:

10:00? Yep.

Sandy Garcia:

23 post-secondary schools, 9,283 salon shops and 78 schools. And we'll move on to the legislative update.

Frank True:

Sandy, I just wanted to clarify more of a process. So then based on, because this right here is not, there's not a quorum, then even clarification questions on the data need to be held. Is that correct?

Sandy Garcia:

I'll take clarification questions. Okay, well no, we really shouldn't have any type of discussion without a full quorum.

Frank True:

Okay.

Sandy Garcia:

But I can take clarification questions, but as long as a discussion isn't attached to it.

Frank True:

And so Sandy, maybe one of the things, because I do see a number of guests that are on here, I know that one of our meetings before was a public meetings training that we had for all the board members. So I think some of us on this call, we understand the purpose of why we're doing what we're doing, but for the guests that are just calling in, would it be possible to frame it so the guests understand why we're procedurally having to go through this process?

Sandy Garcia:

Oh yeah, that's a great point. So for the Open Public Meetings Act, any business that is done needs to be open and transparent for the public. There has to be a quorum, which is a majority of the board present in order to discuss, decide, or vote on any of these topics. So if there isn't a quorum present, then there is an adequate representation for all members of the cosmetology board to participate. So in order to make sure all voices from the industry are heard, there has to be a minimum number of participants in the conversation in order for it to be a valid conversation. Does that clarify?

Frank True:

I think so, yeah. And then I think it's also important that these processes right here is to prevent any appearance of any separate conversations that are not happening in front of the public. So the board meetings have to be transparent so everybody is comfortable and everybody's aware of what's being discussed and decisions that are being driven. Right?

Sandy Garcia:

Exactly.

Frank True:

This is really out of protection for the public and that's why we're under the governance rules. Okay, got it.

Sandy Garcia:

Perfect. Excellent. So was there any other clarifying questions I can help out with for that before moving on?

Frank True:

I think the only other clarifying was when you were going through the licensee counts, the very first one, I think you said shops, but because the slide is a little smaller, I just wanted to make sure that people saw that the very first one, the 141 is what was read was the apprentice salons. Yeah. So that was referring to the apprentice versus the other salon shop counts was right around 9,200, which is what many of us are familiar with. Yep.

Sandy Garcia:

Oh, thank you for enlarging that for our view, Sandra, I appreciate that. It can be a little bit difficult to see and I'm not wearing my glasses. All right, we'll move on to the legislative update then. So I have two updates to present. The first one is HB 1017. It has passed the legislature, so that's very good news. This bill allows the cosmetology related applicants to register for and take their exams before completing the required courses. If they are within 100 hours of completing their education. However, all of their education must still be completed before they can actually get their license.

The second update that I would like to bring to everyone's attention is HB 1930 is set to expire on June 30th. This was a bill that allowed temporary benefit for those who were affected by COVID-19 for their licenses that had expired, they could renew those licenses without penalty. So that is set to expire June 30th of this year. So that's just for everyone's awareness, that that grace period is soon to be over.

As far as reporting out on the master action items list, we have had several public comments regarding the current Master Esthetician issues. The department along with members of the cosmetology board have done a lot of research in this. And the changes that the public comments are seeking are a legislative issue, and therefore it is outside of the scope of this board. So any interested individuals that have those issues with the current Master Esthetician licensure, we really want to encourage them to seek out communications with their representatives so that they can properly do the legislative process to get that in the legislative.

Oh my goodness. Words are hard today. I'm sorry, I apologize. So we want to encourage the members of the public that have an interest in this to reach out to the representatives and seek the changes required to make that a better fit. We are also working on listing endorsements on licensing. I am currently meeting with several DOL staff members to see if this is an option, and for the medical nail technician that is on the agenda for today. So we may be doing that presentation or it may be moved to our next meeting. And that concludes the master action item list.

Frank True:

Sandy, thank you for going over that. Based on the structure today, it sounds like that's the areas that we can report on. I think that right now I see that we have board member Martin and also her guest, I think it was Dr. Spalding that's here. And I know that they have a presentation that's prepared. I guess I'll go ahead and I will, maybe we could take a quick roll call again to be able to see if we have any new board members or Sandra, did you note any additional board members that have joined that would help us meet quorum? Or are we at the same point where we started?

Sandra Schaffer:

There are a few people who have joined that I'm not clear based on the name. So I can just go through the folks who did not say present prior.

Frank True:

Okay.

Sandra Schaffer:

So is board member Reyes Nigard present?

Board member Rice?

Board member Olsha?

Board member Wilkins?

And then board member Thomas is here. That's correct. Board member Thomas is here. So we should have five if I'm counting correctly.

Frank True:

Okay.

Sandy Garcia:

We need six for quorum.

Frank True:

We need six for quorum. Okay.

Sandra Schaffer:

Right, right. Big board.

Frank True:

All right. So let's go ahead if that's our limitation, I would like to still move forward with the presentation. And then for members of the audience, if you would keep your notes and then we will go ahead and we'll pick up the conversation at the next board meeting, but at least we can gain access to the presentation today which hopefully will spark a more robust conversation at our next board meeting.

Shauna Martin:

Oh, do you want me to begin? Sorry.

Frank True:

So I'll go ahead. I'll turn it over to you to be able to do the presentation along with welcoming us with your guest.

Shauna Martin:

Sure. Okay. So good morning and thanks for having us and letting us go forward with the presentation even though we don't have a full quorum. Today, I brought Dr. Spalding, Dr. Robert Spalding with me to assist in the presentation towards the end. The topic on the agenda is the need for a master nail technician in the state of Washington and why. Some of the things that I plan to go over, which will be on the next slide, which is manicuring advancements and 2023, clarifying the terminology, clients with problem nails and preexisting medical conditions, Washington State cosmetology laws as they pertain to manicurist, the disconnection between doctors and nail technicians. Then introducing Dr. Spalding, and then a closer look with Dr. Spalding, and then discuss some positive outcomes that potentially are available.

So if we take a quick look at manicuring as a whole as a scope of practice, we can go back probably farther, but I decided to start at 1900. So between the years of 1900 and 1920, the manicurist wasn't really a thing just yet, but Avon, and I'm sure we're all aware of who Avon is, introduced some home cosmetic to pamper yourself products, and everybody was working on themselves at home. And then between 1920 and 1960, the basic manicure becomes the ultimate focus as a salon service. So almost a hundred years ago, and then 1970 to 2000, the introduction of artificial enhancements as a service in a radical progression in creating advanced artificial nail enhancements. And then fast-forward between 2000 and to current present time, nail technology has now become the center and foundation of the scope of practice. Lots of advancements in the nail industry stretch far beyond the days of a basic manicure and the manicure.

So my point of this outline is to really actually also talk about the fact that I think that the term manicuring is just slightly outdated and we are no longer just doing basic manicures. It has actually evolved into an entire advanced nail technology type industry. And I do feel like at some point the state of Washington should consider updating that terminology to reflect what everybody is talking about. For example, when I talked to several colleagues and people that I know throughout the state and across the nation, nobody ever really refers to them as a licensed manicurist. They're always just saying that they're a nail tech, nail technician. And that's really what the modern terminology is, which also leads me to connect it to this presentation that we're about to go through. So next slide please.

Okay. So clarifying some terminology, not that you guys as licensed professionals don't understand it, but I thought it would be beneficial to look at it mapped out this way. So we have manicures in the center and it just is the root of all things nail technician. We can't have a nail tech without a manicurist. We can't just forget our roots. So as a manicurist, what are we focusing on? Communication skills, providing advice for application of nail services, proper hand and foot massage techniques, knowledge of proper safety and sanitation and some business skills. And then if we've advanced and fast-forward to the nail technology portion, now we're incorporating nail technology, artificial nails, troubleshooting the terminology there, being able to offer clean, safe services for people doing repairs, all next level, I guess manicures type things. So skilled application for enhancements, knowledge base goes beyond basic manicure and pedicure, and then of course troubleshooting.

And if we connect all two of those, that segues into this other category that I want to talk about and introduce, which would be the master nail technician. So you would take a combination of all of those two things. And then now we have advanced training, we'd potentially be able to provide routine foot care for those that require a special touch, like people that are diabetic or have heart conditions that we would just be able to incorporate that a little better, works septicallly to provide ultimate protection from the transfer of infection, and then able to work with a physician or a podiatrist, which is I feel the ultimate goal for today's presentation. And then the next slide.

So the ugly truth, right? I'm sure that there's a lot of nail technicians that would agree with me working on feet and hands. And sometimes we see some of the most interesting things. So one out of 10 people are actually dealing with a skin and nail problem or a nail situation that needs referred to the doctor. And I'm sure that I'm not the only one in the state of Washington that has had this uncomfortable conversation with individuals where I have to refer them to the doctor and it's very limited. It's just like that's the end of it and that's okay. And I'm okay to send them to the doctor.

But wouldn't it be nice if I could do more for the toenail? I could do more for the skin. I could work in conjunction with the actual licensed doctor to open up more care for the people that actually need it. So currently what we do, I don't know what other people do, but what I'm doing is when we see something we can't work on, just refer them to the doctor, and then advise them to get their routine foot care done there, and then come back to us for the beautification. But I just feel like there's a lot of smart nail technicians that exist today and they're more than capable of helping these type of clients and then also working with the doctors. Okay, next page.

So I know that we're all aware of the law, so I didn't put this in to be redundant, but I just wanted to point out that the practice of manicuring is just cleaning, shaping, and polishing, and decorating and then what the minimum safe safety standards are and how we're not allowed to work on open sores, inflamed skin rash, parasitic infestation. And this is just usually, I guess what I'm trying to say is this is the standard for all nail technicians that we're all following, but I feel like over the course of being an educator, I have run into people that are always more interested in something further beyond just the basic pedicure. And they always want to help people. They have a medical side to them that they're interested and then they want to do the work. Okay, next slide.

So there's a slight disconnection between doctors and nail technicians and a slight fallout. So what do I mean by that? We'll send the person to the doctor for help, and the doctor will send them back with a doctor's note saying they're okay to work on. They're okay to get a pedicure. And then actually in the same doctor's note, will confirm that the client has onychomycosis. So the doctor's confirming that

there's a fungal situation that exists, but it's okay for them to get a pedicure. I feel like this presentation also covers a bigger, it's an even bigger picture because the disconnect between us and the doctors, the doctor doesn't understand the laws that we're held to and why we're sending the clients to them for help, and then they kick it back to us. So I just feel like we should try to somehow bridge the gap for the confusion, start to work more closely with doctors so that they understand where we're coming from and then maybe form a better relationship statewide.

Let's see. I know right now I would talk with Dr. Spalding. He was telling me that there's doctors right now, podiatrists right now that want to open up nail technician based med spas in several states. And I feel like Washington State's not ready for that right now because we haven't had the discussion and we haven't introduced anything substantial that would even try to change the conversation to even be able to introduce something as wonderful as that opportunity.

Yeah. So real quick, Dr. Spalding's agreed to join me in his busy schedule, and I'm just going to let him take over.

Oh, I don't think your mic's on Dr. Spalding.

Dr. Spalding:

Let's see. Can everyone hear me now?

Shauna Martin:

Yeah.

Frank True:

We're good.

Dr. Spalding:

Okay. I'm Dr. Spalding. I've been in practice since 1998, and during my training I was asking questions of my instructors about who else cuts nails, who else deals with lower extremity nail care. And of course, nail techs came up. Doctors have a varied opinion of nail techs, but just as a comparison, about 50% of the podiatrists in the United States do use a technician to help them with routine foot care. And those technicians are historically just trained on the job. There is no specifics. There is no license to become a medical assistant for a podiatrist or a podiatric medical assistant. And there are no real standards as far as universal standards for what constitutes nail care being delivered, routine foot care being delivered when you go from state to state or podiatry office to podiatry office.

And I started noticing that obviously the nail technicians have a actual training and license. And as I started asking questions, and I started attending some of the nail conferences, and as a result I saw the need for advanced training, especially in disinfection where a lot of the doctors, every podiatrist out there has a woman that will come up to them and say, where's a safe place to go get a nail service? And the standard answer is, don't go in there, you're going to get an infection. And the ladies won't take that as an answer. They're going to go out there and try to find a nail salon, because they're going to want some beautification on their own. And as a result, they may end up in a good place or may end up bad place. So in starting our training, we started recognizing that basic disinfections with stuff such as your

historical blue liquid, the quaternary ammonium compounds actually are not as effective as what the labels might say, and based on our research, really where you need to be is autoclave sterilization.

So safer pedicures was a way of delivering this, the aseptic care. And then again has already been mentioned, this two-way connection with a physician, meaning that a lot of these things need to be in the hands of the physician, the podiatrist, and then referred back for beautification. And so it's a two-way street. And knowing how to work that two-way street is part of our training. So we have our advanced nail technicians course, which is our basic, and then for those who want to work in a medical facility or under the direction of a podiatrist, we have the medical nail technician. Now in some states, they prefer to call it a certified pediatric medical assistant. So many times we have that cross parallel training, the MMT and the CCPMA are essentially one and the same. One is a licensed nail tech, one is just somebody basically off the street that has been through a certified class that we offer.

Our website is medinails.com. You can go there, you can take free courses, you can find out at what level we're trying to attain and train. And so this is all something we offer for free as well as our paid courses, our purchase courses. The value, again, is the whole thing is driven for providing safer services. So more people recognize the basic nail salon is providing a higher level service. Now, as was previously said, routine foot care is not something that is delivered in a nail salon. A lot of people who are diabetics, high-risk patients, need to be in a podiatry office and then referred back to the nail salon for the beautification side of it. So again, it's a two-way street that has worked very well in many states that we have this with. There is no such thing as a licensed medical nail technician in any state.

As you already know, cosmetology is not as associated with medical procedures. However, like your aesthetician, your master aesthetician, this is a similar process that could be instituted for nail techs. And there is a huge need for, as our advancing senior population needs more and more foot care services, there is a need for this service as well as direction under podiatrists. That referral process, how to refer properly and how to receive a referral properly, is very much part of this training.

And in a nutshell, again, all this is online. The basic courses are online, we do require an internship that we encourage someone locally find a podiatrist locally to do their medical nail technician internship once they finish their online training. But for those who prefer to come to our office, we have one right now from Cincinnati Ohio that when I leave this conversation, I'm going to be going back to the office and working with her, seeing the rest of this afternoon's patients. But then we offer a third option, which is a virtual internship program for when we had COVID, there was no one being allowed to go into these offices. So we do have three means by which to obtain internships. That's basically the delivery of the basic information. If you have any direct questions, I'd be happy to entertain them.

Shauna Martin:

All right. Thank you Dr. Spalding. And then just one last slide to tie in everything that Dr. Spalding was discussing. So why did I bring up the law for the state? Because at this moment, even if nail technicians were to entertain taking that course, Washington State does not recognize it as something that they could even do or implement. And what I want to come from this conversation is trying to form a better relationship between the nail tech and the doctor with a good solid referral system. Wouldn't it be nice for doctors, for nail tech to go, oh, I'd like to send you to a doctor that I recommend because they are aware of what nail techs are doing, and get a safe service or an appointment, and then the doctor would refer them back to that nail tech because they can also trust the level of skill that's being offered for the

services at that point. I want to raise the standard in the Washington State for the nail industry and set the precedent really for the whole nation that safer pedicures are wanted badly.

And unfortunately, I love our nail techs, don't get me wrong, but I feel like unfortunately there's some disconnect where some people are not receiving the safest pedicure possible, and it could be better. So if we raise the standard to that and we develop a master nail technician license, like the master esthetician, then maybe we could help bridge that portion of it. We want to provide the public with safer options. I think that the public themselves, how we benefit the public themselves would understand where to go for somebody that's got this skill and knowledge that they could offer to somebody in a safe environment. And there are a lot of nail technicians that have been very interested in something like this for a while, and I just wanted to get the conversation going.

I feel like in the end, what does this do? This opens up opportunities for employment. Maybe it raises the numbers for nail technicians that are working. Maybe there's a lot of technicians that stopped working because they couldn't do booth rent and they needed something more viable like working in a doctor's office or an hourly paycheck to support themselves and their families. I feel like this opens up potentially that opportunity for security financially and giving somebody else options that maybe they couldn't reach as a booth renter. Not everybody in this industry is built for booth rent. I'm a booth renter personally, so it worked out great for me, but I also have several friends that it didn't really work out for them. And wouldn't it have been nice if they had had a different option to pivot off of Ensure their future is a licensed technician?

So that's really all I wanted to say. I really want to entertain the Master Nail Technician license updating the terminology to nail tech instead of manicurist for the year 2023, because I do feel like it's changed quite a bit. And that's really all I have for right now, and I thought there would be a discussion and stuff, but we'll just save it for next time. But thank you everybody for listening to the presentation. I hope that you pulled something great away from it and it got you thinking and wondering about stuff.

Frank True:

Yeah. And I just wanted to be able to respond. I know that I really appreciate the preparation that [inaudible 00:37:54] Martin had put together to put this here, and also the input of Dr. Spalding as well. There's a lot that I think that we can definitely discuss here, and I really appreciate that. I think that right here we are... Let's see here. I think that, and Sandra, I see your hand up because I saw another person enter into the meeting. All right.

Sandra Schaffer:

Yeah, it looks like Toby Wilkins, board member Wilkins has entered the meeting, so that would put us at a quorum.

Frank True:

All right, great. All right. That is terrific. Okay, so I think that right here, let's go ahead and that's fantastic. That means that we are at quorum right now, which also means that we can have discussions and also questions too. So maybe the timing on this is right here. So based on the presentation that was delivered and us having Dr. Spalding on here, questions or comments from board members regarding this presentation?

Sylvia:

I'd like to ask a question of the doctor if I could.

Frank True:

Please.

Dr. Spalding:

Go ahead.

Sylvia:

So Dr. Spalding, do you envision this to be the nail technician would work either in a salon or in a podiatrist office and they would be able to provide services that the doctor prescribed and then the technician would apply? Am I understanding that clearly?

Dr. Spalding:

Well, again, it depends on each state. For example, in Tennessee, our cosmetology board states that if you have written permission from a physician, you can treat, say a diastrophic nail or a fungal nail. If it has been treated by the doctor and the doctor sanctions that it's okay. And I believe, if I'm not mistaken, North Carolina also has that written permission. So I don't know if your state wants to do a verbal, but I would think having a trackable printed permission to do it, as long as you're going through a referral process with the doctor, that is what we are suggesting. Now, it doesn't permit a medical nail technician to do certain procedures that would only be done in a, say if you had an oncolytic nail, which is a fancy name for just a separated nail, and the nail tech decides to go and avulse it in the salon, that wouldn't be appropriate. But you may trim it back based on the protocols that you learned in the course, just so it doesn't snag on socks and then go on to the physician to actually have it properly attended.

There would be some stop gaps. But the principle advanced nail technician course is to work the basic courses to work safer in your salon. And that's done by three methods. That's by autoclaving for disinfection and using aseptic technique and proper referral. Those are the three core elements learned in the basic course. In the medical nail technician course, then you get into biomechanics, you get into understandings. Why do these people develop calluses? How can they be prevented? And again, we're not telling you how to, we're teaching you if you're going to work in a physician's office, that you can remove them, but in a salon basis, you can only smooth them.

So you can't remove them in a salon situation. But you can under doctor direction in a medical facility or a nursing home where you're under his auspices, you can use sharp debridement. Again, sharp debridement falls under different statutes of delegation of authority, depending on each state. So there's a lot of things that are going to be state driven, and then you're going to have to... There are some podiatrists that would not give a nail tech the time of day. And then there's others that are out there that would embrace their services. So not all podiatrists use technicians or would consider that. However, there's a lot of them, 50% that do use technicians.

Sylvia:

Thank you. This has helped us have a better understanding.

Frank True:

And I have a question, and I'm not sure to direct it to Dr. Spalding or board member Martin, the states that you had referred, you mentioned Tennessee and also North Carolina. So is that within their scope with that permission? Is that how it's defined?

Dr. Spalding:

The doctor pretty much spells out in the written permission what it is he's giving permission to do?

Frank True:

Okay.

Dr. Spalding:

So even though that's not always a high percentage of that being utilized, it's in the statutes for that to occur, should a doctor feel comfortable with the background of the nail tech and/or the training of the nail tech. And a lot of times, while they're going through their internships in their local podiatry, they recognize the potential for this, and actually employ them as one of their technicians because they can deliver a variety of services.

Now, if the doctor is advertising "medical pedicures", then that room has to be certified as a salon, and it comes under the cosmetology. If they're just offering, say, polishing a nail for the existing patients, then they're not advertising to the public, historically, they're just treated with say, enhanced, nail polish, polish that has some level of treatment to it, antifungal, typically, they'll just do that. But if they're advertising to the public that we're offering medical pedicures to any walk-ins, then that's got to be certified. That room or that part of the building has got to be certified as a salon and fall under the cosmetology inspectors and rules and regs, as opposed to someone who may just be polishing the nail after a service by a licensed nail tech.

Those are just some varieties from state to state how they look at it.

Frank True:

And I see a handout from Shauna. Is it Shauna Martin?

Shauna Martin:

Yeah.

Frank True:

Okay, perfect. All right, [inaudible 00:44:52] Martin.

Shauna Martin:

Thank you. And basically, so the doctor has so much information that's relevant, and this is why. And now that we have a quorum, this is why I would like to ask to be able to form a subcommittee to create so that we can dive deeper into this topic further and explore so much more that surrounds this item.

Frank True:

And so I see a hand up from Sandy. Sandy?

Sandy Garcia:

Yes. Thank you. So earlier in our agenda, we did have create subcommittees, the education subcommittee and the business practices subcommittee. This might be a very good topic for the education subcommittee to start researching and looking into. I would suggest that we go back to the beginning of our agenda and vote to approve the agenda, vote to approve the minutes, and then move forward and form those subcommittees at that time.

Frank True:

All right, great. Thank you so much, Sandy. And I think that that would definitely be appropriate. And I think that'll allow us to be able to do some work, because there's other work that needs to be done too for this meeting. Let's see here, before we go ahead and switch to be able to maneuver back to the beginning of the agenda to reset the meeting, I wanted to also offer a few more minutes here if there's any additional questions that the board members have for either board member Martin or Dr. Spalding here.

Great. So hearing none, then what we will do is that we will go ahead and move back to the beginning of the agenda here. I believe roll call, is just the visual roll call of seeing the board members present good enough? I see some nods, so we're good there. What I'd like to do is for the reference of the board members and also members of the public, we are going to move to agenda number three, and then we'll move forward on that, which is their approval of today's agenda. That is under agenda item number 3.1 to be able to, now we'll officially have our meeting. And I guess I will officially call the meeting to order. Procedurally, how does this work here?

Sandy Garcia:

You can request for a motion to approve the agenda.

Frank True:

Okay. So we'll go ahead and I will need a motion to be able to approve the agenda that was presented here today. And then after that motion, we will go ahead and go to a second. So do I have a motion from a board member to be able to approve today's agenda?

Sandy Garcia:

I make a motion to approve the agenda.

Frank True:

All right. I have a motion from Vice Chair Garcia here. Do I have a second?

Shauna Martin:

I second the motion.

Frank True:

We have a second. Is there any additional discussion? Hearing none, all those in favor of approving today's agenda, say aye.

Sandy Garcia:

Aye.

Frank True:

Aye.

Sylvia:

Aye.

Frank True:

Okay. Any opposed? Any abstaining? All right. So the agenda is approved. We will go ahead and move on to the approval of minutes. You'll see that we have 4.1 and also 4.2. The first meeting minutes that we will be approving is on October 18th, 2022. I will entertain a motion to be able to approve those minutes. And I am looking for a motion here. I see some mute buttons being unmuted.

Sandy Garcia:

I would like to make a motion to approve the minutes.

Frank True:

Thank you very much, Vice Chair Garcia, and thank you for leading that meeting. I need a second to be able to approve that motion.

Shauna Martin:

I second.

Frank True:

All right. We have a second from board member Martin. Any additional discussions? All right, I'm sure we've had a chance to review it. All right, hearing none, all those in favor of approving the minutes for October 18th, 2022 say aye.

Sandy Garcia:

Aye.

Merkin:

Aye.

Sylvia:

Aye.

Shauna Martin:

Aye.

Frank True:

Any opposed?

Laura Olsha:

Aye.

Frank True:

All right. I heard one final, aye was then I to approve or to oppose?

Laura Olsha:

That is approved. That's Laura Olsha. Sorry, I was having a connection issue.

Frank True:

All right, perfect. Thank you so much, Laura. So any abstaining? Hearing none, then those meeting minutes are approved. We'll move to the approval of the December 12th, 2022 meeting minutes. This is for the special meeting that we partook in reviewing the public meeting training. So I am looking for a motion to be able to approve those minutes.

Sandy Garcia:

I will make a motion to approve the minutes.

Frank True:

Thank you so much. I am looking for a second.

Shauna Martin:

I second it.

Sylvia:

I'll second that.

Frank True:

All right. Thank you so much for the second. Any additional discussions regarding those meeting minutes? Hearing none, all those in favor of approving those minutes, say aye.

Sandy Garcia:

Aye.

Merkin:

Aye.

Sylvia:

Aye.

Shauna Martin:

Aye.

Frank True:

Any opposed? Any abstaining? All right, then we will go ahead and approve those minutes. Thank you so much. We will move to agenda number five and six. There's no additional businesses to be able to discuss today. We will move to agenda item number seven, which is under new business. 7.1 is the creation of new subcommittees. So we have two subcommittees that need members. We have one on the education subcommittee and one on business practices. Board members may participate in the subcommittees as they like. However, to ensure there's not a quorum during the subcommittee meetings, subcommittees are limited to a maximum of four board members, so four board members or less. Members at the public, including DOL staff may participate in the subcommittee work as needed, but board members can either self nominate for any of the subcommittee as they're interested in, and they also may nominate their fellow members as well.

So with that, we will go ahead and I would like to request for a motion to nominate subcommittee members for the education subcommittee. So we'll need a motion, we'll need a second. We'll need that approved before we can actually start the motion for nominations. Okay. So is there a motion to be able to nominate... Oh, I'm sorry. Actually, I'm going to reverse what I just stated there. So we need a request for a motion to nominate subcommittee members. So we need a motion.

Sandy Garcia:

At this point, any individual who is interested in serving on this committee may either nominate themselves or someone else. Once we have four members, then you can request for a motion to approve those members.

Frank True:

And for me is I'd like to be able to nominate Vice Chair Garcia with her being specifically in education. I'd like to be able to nominate her.

Sandy Garcia:

Thank you.

Frank True:

And then Commissioner Martin, your hand is up.

Shauna Martin:

Yes, I would like to nominate myself to be on the committee.

Frank True:

I think that would be very beneficial, especially with what's presented today. Yeah. And for me is that I'd like to be able to participate in that just because of my representation for on the school side as well. So

we have three, there can be a maximum of four. There is also a business practice committee as well. And I see a hand, see a couple hands up here, and I'm not able to see here. So, Noel Sandborn, I believe.

Noel Sandborn:

Yes. Noel Sandborn, I would nominate myself.

Frank True:

Okay. And Noel, I just wanted to clarify, it's just because I can't see you on my screen. You are representing, and you're a board member, is that right?

Noel Sandborn:

I'm not a board member.

Frank True:

You're not? No.

Noel Sandborn:

No.

Frank True:

So I believe that, Sandy, could you please clarify the requirements for members of the subcommittee?

Sandy Garcia:

Correct. So we need to have board members as members of the subcommittees participating members from the public, would be a guest speaker that would come and talk to that subcommittee or members of the DOL staff that would be tasked by that subcommittee to do some research work to assist in that work. But members of this subcommittee should be members of the board.

Frank True:

And then the work of the subcommittee will be presented at the board meeting. So therefore, they're members of the public or member of the industry, of the public. They would be able to participate in those discussions at these board official board meetings then, is that correct, Sandy?

Sandy Garcia:

Correct.

Frank True:

Okay.

Sandy Garcia:

They would be able to participate during the public comments.

Frank True:

During the public comments. All right, great. Thank you. And then I see a handout from Noel Sandborn, were there other comments that you wanted to be able to make?

Noel Sandborn:

No, I just haven't put it down. Sorry.

Frank True:

Okay, perfect. Thank you so much. I appreciate the comment there. All right. So right now I have the three members on the education subcommittee. I will wait just a few more seconds to see if anybody else would like to either self dominate or to nominate another board member. Hearing none, then we'll go ahead and we'll move forward with those three members as part of the education subcommittee. I will need a motion to be able to approve that subcommittee. I'm looking for a motion from the board members here.

Sylvia:

I would like to make a motion to approve the subcommittee.

Frank True:

All right. I have a motion that's on the table it, I'm looking for a second.

Merkin:

I'll second that.

Frank True:

All right. We have a motion and a second. And any additional discussion? All right. Hearing none, I would like to go ahead and... Oh, I see a hand up by Shauna.

Shauna Martin:

Yeah, I just had a quick question, not to hold up the proceeding, but I love that the public is interested in getting on board with this. So going forward, how would we be able to get them involved while adhering to the guidelines?

Frank True:

Yeah. And so I'll go ahead and I'll defer to Sandy to be able to comment on that.

Shauna Martin:

Okay. Thank you.

Sandy Garcia:

That's a fantastic question board member Martin. Typically, what happens is the subcommittee will hold listening sessions or send out surveys to members of the public so that they can get their input. And they can apply that research to their work so that they can have a broader depth of knowledge from the public and as it applies to the work that they're doing.

Shauna Martin:

Perfect. Thank you.

Sandy Garcia:

Does that answer your question?

Shauna Martin:

It does. Thank you very much.

Frank True:

So is there any additional discussion regarding this subcommittee? All right. Hearing none, I'd like to call for a vote. All those in favor of approving the subcommittee, the education subcommittee say, aye.

Sandy Garcia:

Aye.

Shauna Martin:

Aye.

Sylvia:

Aye.

Merkin:

Aye.

Frank True:

Any opposed? Any abstaining? All right. So the motion carries. That will be, we've established a education subcommittee. Now the next subcommittee that we would like to be able to receive nominations for will be the Business Practice Subcommittee. So on this, we'd like to be able to open up the nominations again, there's a limit of up to four, and I see Vice Chair Garcia's hands up.

Sandy Garcia:

I would like to nominate Chair Frank True for this subcommittee.

Frank True:

Thank you. I would actually like to nominate, and Gerry, if you're willing to serve, I'd like to be able to nominate you to be on this business practice subcommittee.

Gerry:

Sounds great. Frank. Yes.

Frank True:

So we have two members right here. Any other nominations or any other members that would like to participate?

Sylvia:

I would be willing to participate too, if that would help the committee.

Frank True:

Yeah, I would love you to participate. I know you have a lot on your plate too, so we have three members here that are on here. Any additional, I'll leave just a few more moments, Sandy.

Sandy Garcia:

We could actually move forward with just the two members and then add a member to it at our next meeting. We may have more board members present at our next meeting. We want to make sure we have the ability to offer this opportunity to everyone on the board.

Sylvia:

That sounds good to me.

Frank True:

Sounds good. All right, Sylvia.

Sandy Garcia:

We can move forward with two.

Frank True:

With two. All right. And then have this on the agenda for the next board meeting to be able to add two. That sounds perfect. All right. So we have our nominations of two members for the business practice subcommittee. Let's see here. I guess I am looking for a motion then. Do I have a motion to be able to approve this business practice subcommittee?

Laura Olsha:

I'll motion.

Frank True:

Right. And could you state your name? I'm not sure. I couldn't see you.

Laura Olsha:

See you. Laura Olsha.

Frank True:

Oh, Laura, thank you so much, Laura. So I have a motion by Laura Olsha here. I am looking for a second.

Gerry:

I'll second it.

Frank True:

I second it. And then could you please state your name? I'm not able to see you on the screen.

Gerry:

That was Gerry.

Frank True:

Oh, Gerry, thank you so much, Gerry.

Gerry:

Yep.

Frank True:

All right, so we have a motion. We have a second. Any additional discussion? Hearing none, all those in favor of approving this business practice subcommittee say aye.

Sandy Garcia:

Aye.

Shauna Martin:

Aye.

Laura Olsha:

Aye.

Frank True:

Any opposed? Any abstaining? All right, so motion carries. We have two subcommittees that are established. Thank you so much. We will go ahead and move to... Oh, and then we have identified, we've already gone through 7.2 right here, and it looks as though we're moving to our public comment opportunity. I see, Sandy, your hand is up. Sandy?

Sandy Garcia:

Yes. Now that we have officially formed the education subcommittee, it might be appropriate to go ahead and assign them to start looking into board member Martin's presentation.

Frank True:

Okay.

Sandy Garcia:

Officially assign that to them.

Frank True:

All right. And then we would need to be able to have a formal vote. Is that correct?

Sandy Garcia:

No, you can just go ahead and verbally say, this is an item that we would like to assign to this education subcommittee to further research.

Frank True:

All right. And so with the presentation on the Pathway to Medical Nail Technician, I'd like to be able to assign that to the education subcommittee. So if we could go ahead and have that noted for the records, and then we'll have the subcommittee form to be able to work on that. I mean, the agenda to be able to be finalized to work on that. Okay, great.

Sandy Garcia:

Excellent.

Frank True:

And so with that, we'll move to the final portion of our meeting here. And that is the public comment period. So this is an extremely important period for the members that are participating the board, but also the members of the public. I'd like to be able to, the public may address the board on matters within the board's jurisdiction, either verbally during the meeting or in submitting written comments. The board is limited to directing staff to study the matter further or requesting the matter be rescheduled for discussion and consideration at a later time.

Members of the public who addressed the board verbally are limited to one three minute comment. So you have up to three minutes to make your comments. In lieu of a verbal comment, individuals also may be able to submit their comments in writing at least two days prior to the meeting by emailing the DOL boards, DOL.wa.gov. Written comments are limited to no more than 500 words and will be read by the staff during the portion of the meeting, so you're able to participate in those two areas. With that, I'd like to be able to ask the staff if there's any public comments that were registered, and also after that, to be able to see any of members of the public that would like to address the board. So staff members, are there any member or any comments registered to be presented here?

Sandy Garcia:

Thank you. No, we have not received any written comments to read at this time. So let's go ahead and open the floor for the public.

Frank True:

All right, perfect. And so members of the public, please, you're welcome to be able to participate in this public comment opportunity. I think if you'd like to comment, please go ahead and raise your hand through the app right here. And we'll go ahead and we'll note that, and then we'll go through ensuring that you have your proper time to be able to comment.

All right. So I see a hand being raised by Maryann Brathwaite, who is a guest. Maryann, if you could give us maybe a few moments here just to be able to see if there's any other hands that are raised.

Sandy Garcia:

Frank, I was mistaken. Frank, I was mistaken. We do have one public comment to read off.

Frank True:

We do. Okay, perfect.

Sandy Garcia:

Yes, Sandra, would you please read that before we get started with the in-person comments?

Sandra Schaffer:

Yeah, no problem. Yeah, so we did receive an email from, and I may mispronounce this, I apologize in advance, from Kelly Molinari. And it says, I would like to submit my suggestion for consideration at the board meeting. As a retired cosmetologist in good standing, I would like a provision that allows license renewal at a reduced rate to maintain licensure without operating simply for the privilege of wholesale shopping on a senior budget. I have been licensed for nearly 40 years, but find the fees too expensive for just a shopping privilege. And that is the only public comment that we received.

Frank True:

Okay, perfect. Great. Thank you. And so that's noted. And then if we could just include that in maybe the preparation for the next meeting agenda, that would be great. Maryann Brathwaite, I'd like to be able to acknowledge you.

Maryann Brathwaite:

[inaudible 01:05:18] everyone. Thank you to the board and chair. I just wanted to say I really appreciate your support with House Bill 1017 for expediting licensure. We really feel like this is great law making for our students and really supporting them in their careers. I would also like to acknowledge the staff of Department of Licensing for their consistent collaboration, working out some of the delays and things that were happening and scheduling exams for our students. And also want to invite any of our school attendees to our conference on May 18th, 19th. We're going to have some really great leadership training opportunities, admissions training. We will also have a member from the community policing for Seattle Police Department that will be discussing concerns and needs around our campus safety as that continues to be a challenge in a lot of our locations. So please reach out to me, Maryann Brathwaite, Northwest Career Colleges Federation. And again, thank you for this opportunity.

Frank True:

Thank you so much, Maryann. And then on that note, I know that we're not responding to the public comments, but as a staff, Sandy, would it be appropriate to assign that house Bill 1017 now that that's passed along to the education subcommittee?

Sandy Garcia:

Yes, it would be appropriate.

Frank True:

Okay, perfect. And then, so let's go ahead and have that for the notes right there too, to be able to ensure that that's assigned.

And so I will go ahead that.

Sandy Garcia:

I'll do that. Thank you.

Frank True:

Pardon me? Okay. And then I am looking here. I do not see any other hands up for public comment. And so with that, I would like to go ahead and thank everybody for your time today. I know that as we started earlier, it was a bit disconnected, and I recognize that everybody that has come to this meeting has prepared and is ready to be able to do work. And I think that's one of the beauty of having this process here.

And so I just wanted to apologize for the disconnect, but I'm so grateful for the board members that are here to allow us to be able to do business of the board. I wanted to acknowledge that the next board meeting is scheduled for July 27th, 2023 at 10:00 AM. It is going to be a virtual meeting via Microsoft Teams on this platform. And I know that our intention is to be able to have an opportunity where we're going to be able to meet in person in the near future. So that is currently being worked on. But with that, I believe that that concludes our meeting for today. It is now... Oh, go ahead.

Sandy Garcia:

Before we adjourn, Chair True, we would like to make any requests for future agenda items from the board members.

Frank True:

Thank you.

Sandy Garcia:

And also, we would like to review the action items that we have captured from this meeting. It was a little disconnected, so we want to make sure we capture everything correctly for our next meeting.

Frank True:

Perfect. All right. So that sounds perfect. All right. So any additional, again, Sandra, did you want to pose a question regarding the request of additional items of agendas or action items?

Sandra Schaffer:

Yeah, so I can read off what I have and we can go from there. As Sandy said, it has been a little bit disjointed. So the action items that I captured are both actually assignments for the education subcommittee, and that is to research pathways to medical nail tech in response to board member, my

gosh, my brain, in response to the presentation. And then also to do research into House Bill 1017 and go from there. I don't think I captured any additional agenda items. So do any board members have any that we would like to put onto next quarter's agenda?

Frank True:

I think the only thing that I also noted too was to revisit the subcommittees to see if there's any other board members to participate, and I don't know if that would fall under old business or it would be a continuation of it, but if we can note that. Yeah, perfect.

Sandra Schaffer:

Perfect. I will add that. Thank you.

Frank True:

Great. Great. All right. Hearing no other additional comments, then I would like to go ahead and adjourn this meeting. The time right now is 11:11. How perfect is that? Make a wish, everybody. It is 11:11 on April 27th, 2023, and this meeting is officially adjourned. We will look forward to seeing you via Teams on July 27th, 2023 at 10:00 AM. Thank you so much everybody for participating today and all the preparation.

Sandy Garcia:

Thank you so much everyone. Thank you for your flexibility.

Merkin:

Thank you.

Sandra Schaffer:

Thank you.