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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF COSMETOLOGY**

TIME: 10:44 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

Monday, January 30, 2023

State Board of Cosmetology  
January 30, 2023

BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of  
Professional and Occupational Affairs  
Tammy Y. O'Neill, Chairperson, Professional Member  
Nicole Weakland, Vice Chairperson, Professional  
Member  
Elisa Brown, Secretary, Professional Member  
Stephen J. Szabo, Professional Member - Absent  
Felicia L. Brown-Haywood, Professional Member -  
Absent  
Jennifer A. D'Amato-Dow, Professional Member  
Teresa Whisler, Professional Member  
Heather Kelly, Esquire, Consumer Protection Member

BUREAU PERSONNEL:

Dean F. Picarella, Esquire, Senior Board Counsel  
Sean Barrett, Esquire, Board Counsel  
Jared Hinsey, Esquire, Board Counsel  
Carolyn A. DeLaurentis, Esquire, Executive Deputy  
Chief Counsel, Department of State  
Heather J. McCarthy, Esquire, Senior Board Prosecutor  
Garrett A. Rine, Esquire, Board Prosecution Liaison  
Kenneth J. Suter, Esquire, Board Prosecutor  
Colby B. Widdowson, Esquire, Board Prosecutor  
Andrea L. Costello, Esquire, Board Prosecutor  
Valerie Eaton, Board Administrator  
Andrew LaFratte, MPA, Executive Policy Specialist,  
Department of State  
Deena Parmelee, Legal Office Administrator 1,  
Department of State  
Amanda Richards, Fiscal Chief, Bureau of Finance and  
Operations, Department of State  
Jennifer Gage, Fiscal Management Specialist, Bureau  
of  
Finance and Operations, Department of State  
Tamie Laudenslager, Fiscal Management Specialist,  
Bureau of Finance and Operations, Department of  
State  
Michelle Witmer, Fiscal Management Specialist,  
Bureau of Finance and Operations, Department of  
State

State Board of Cosmetology  
January 30, 2023

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ALSO PRESENT:

- Rachel Spyra, Krave Hair Studio
- Chris Lammando, Gmerek Government Relations, Inc.
- Anthony Panuccio, Gmerek Government Relations, Inc.
- Henry Pelusi, Vice President, Studio of Elegance
- Paula DeSabato, Bella Capelli Academy
- Debbie Eckstine-Weidner, Cosmetology Instructor,  
Cumberland Perry Vo-Tech
- Nicole Sidle, Executive Director, Professional  
Licensure Committee, PA House of Representatives
- Kari Orchard, Democratic Executive Director, House  
Professional Licensure Committee
- Ryan Walk, Co-Owner/Director, Walk with Scissors  
Cosmetology Academy
- Jennifer Smeltz, Republican Executive Director,  
Senate  
Consumer Protection & Professional Licensure  
Committee
- Ying Mollica
- Kathryn Witherow

1 \*\*\*

2 State Board of Cosmetology

3 January 30, 2023

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
6 at 9:00 a.m. the Board entered into Executive Session  
7 with Sean Barrett, Esquire, Board Counsel, and Jared  
8 Hinsey, Esquire, Board Counsel, for the purpose of  
9 conducting quasi-judicial deliberations on a number  
10 of matters currently pending before the Board and to  
11 receive the advice of counsel. The Board returned to  
12 open session at 10:30 a.m.]

13 \*\*\*

14 The regularly scheduled meeting of the State  
15 Board of Cosmetology was held on Monday, January 30,  
16 2023. Tammy Y. O'Neill, Chairperson, Professional  
17 Member, called the meeting to order at 10:44 a.m.

18 \*\*\*

19 [Sean Barrett, Esquire, Board Counsel, noted the  
20 Board entered into Executive Session prior to the  
21 commencement of the meeting for the purpose of  
22 conducting quasi-judicial deliberations on a number  
23 of matters pending before the Board and to receive  
24 the advice of counsel.]

25 \*\*\*

1 Roll Call

2 [Valerie Eaton, Board Administrator, provided a roll  
3 call of Board members.]

4 \*\*\*

5 [Arion R. Claggett, Acting Commissioner, Bureau of  
6 Professional and Occupational Affairs, informed  
7 prosecution that all of their reports would be waived  
8 today due to technical difficulties.]

9 \*\*\*

10 Approval of Minutes of November 7, 2022

11 MR. BARRETT:

12 I believe the Board Chair would  
13 entertain a motion to adopt the draft  
14 minutes from the November 7, 2022  
15 meeting of the State Board of  
16 Cosmetology.

17 CHAIR O'NEILL:

18 Could we have a motion for approval of  
19 the minutes for the November 7 meeting?

20 Is there a motion?

21 MS. KELLY:

22 So moved.

23 CHAIR O'NEILL:

24 Second?

25 MS. D'AMATO-DOW:

1 Second.

2 CHAIR O'NEILL:

3 Motion has been approved.

4

5 Arion Claggett, aye; Tammy O'Neill,  
6 aye; Nicole Weakland, aye; Elisa Brown,  
7 abstain; Jennifer D'Amato-Dow, aye;  
8 Teresa Whisler, aye; Heather Kelly,  
9 aye.

10 [The motion carried. Elisa Brown abstained from  
11 voting on the motion.]

12 \*\*\*

13 [Acting Commissioner Claggett informed Elisa Brown  
14 that she would have to abstain from all votes since  
15 her camera was not working.]

16 \*\*\*

17 Report of Board Prosecution Motions

18 MR. BARRETT:

19 I believe the Chair would entertain a  
20 motion to approve the Consent Agreement  
21 at item 2 for Case No. 22-45-008586;  
22 agenda item 3, Case No. 22-45-000571;  
23 agenda item 4, Case No. 20-45-001318;  
24 agenda item 5, Case No. 21-45-019627;  
25 agenda item 6, Case No. 21-45-001937;

1 agenda item 7, Case No. 22-45-013851;  
2 agenda item 8, Case No. 22-45-009829;  
3 agenda item 9, Case No. 20-45-011497;  
4 agenda item 10, Case No. 20-45-001556;  
5 agenda item 11, Case No. 21-45-017410;  
6 agenda item 12, Case No. 22-45-00221;  
7 agenda item 13, Case No. 22-45-009433;  
8 agenda item 15, Case No. 22-45-008560;  
9 agenda item 16, Case No. 19-45-016527;  
10 agenda item 17, Case No. 21-45-018118;  
11 and agenda item 18, Case No. 17-45-  
12 02007.

13 [Garrett A. Rine, Esquire, Board Prosecutor, provided  
14 new information to the Board concerning civil  
15 penalties on two of the Consent Agreements.]

16 CHAIR O'NEILL:

17 Could I have a motion to approve?

18 MS. KELLY:

19 So moved.

20 CHAIR O'NEILL:

21 Second?

22 MS. D'AMATO-DOW:

23 Second.

24 CHAIR O'NEILL:

25 Motion has been approved.

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Arion Claggett, aye; Tammy O'Neill,  
aye; Nicole Weakland, aye; Elisa Brown,  
abstain; Jennifer D'Amato-Dow, aye;  
Teresa Whisler, aye; Heather Kelly,  
aye.

[The motion carried. Elisa Brown abstained from  
voting on the motion. The Respondent's name at item  
2 is Lee's Nails; item 3, The Hair Rooms; item 4,  
Nicole A. Thomas; item 5, Wonder Nails and Spa; item  
6, Laurie A. Baeshore; item 7, Dina Nail Salon; item  
8, Kitty Nails; item 9, Julie Kurek; item 10, Katie  
Morgan; item 11, Universal Hair Gallery LLC; item 12,  
Your Hair Fair; item 13, Wonderfuls Nail Spa Inc.;  
item 15, Thanh Nguyen d/b/a Spa Nails; item 16,  
Yvette C. Miller; item 17; Sarah E. Rosengarten; and  
item 18, Michelle L. Porter.]

\*\*\*

MR. BARRETT:

Based on Executive Session  
deliberations, I believe the Board  
Chair would entertain a motion to  
reject the Consent Agreement as too  
lenient at item 14, Case No. 22-45-  
014180.

1 CHAIR O'NEILL:

2                   Could I have a motion to reject the  
3                   Consent Agreement as too lenient?

4 MS. KELLY:

5                   So moved.

6 CHAIR O'NEILL:

7                   Second?

8 MS. D'AMATO-DOW:

9                   Second.

10 MS. EATON:

11                   Arion Claggett, aye; Tammy O'Neill,  
12                   aye; Nicole Weakland, aye; Elisa Brown,  
13                   abstain; Jennifer D'Amato-Dow, aye;  
14                   Teresa Whisler, aye; Heather Kelly,  
15                   aye.

16 [The motion carried. Elisa Brown abstained from  
17 voting on the motion.]

18   \*\*\*

19 Report of Board Counsel

20 MR. BARRETT:

21                   At item 19, based on Executive Session  
22                   deliberations, I believe the Board  
23                   Chair would entertain a motion to  
24                   direct counsel to issue an order  
25                   remanding Case No. 21-45-000690 in the

1 matter of Maria Mouraleva for a  
2 hearing.

3 CHAIR O'NEILL:

4 May I have a motion for remand for a  
5 hearing?

6 MS. KELLY:

7 So moved.

8 MS. D'AMATO-DOW:

9 Second.

10 MS. EATON:

11 Arion Claggett, aye; Tammy O'Neill,  
12 aye; Nicole Weakland, aye; Elisa Brown,  
13 abstain; Jennifer D'Amato-Dow, aye;  
14 Teresa Whisler, aye; Heather Kelly,  
15 aye.

16 [The motion carried. Elisa Brown abstained from  
17 voting on the motion.]

18 \*\*\*

19 Introduction of Attendees

20 [Valerie Eaton, Board Administrator, provided an  
21 introduction of attendees.]

22 \*\*\*

23 Report of Board Counsel - MDFA

24 MR. BARRETT:

25 Based on Executive Session

1 deliberations, I believe the Board  
2 Chair would entertain a motion to grant  
3 the Motion to Deem Facts Admitted and  
4 Enter Default and direct Board Counsel  
5 to prepare an Adjudication and Order in  
6 accordance with the discussion in  
7 Executive Session at item 21, Case No.  
8 21-45-008596, Liberty Nails & Spa,  
9 Inc.; item 22, Case No. 21-45-017740 &  
10 21-45-017752, Ha T. Chu; item 23, Case  
11 No. 22-45-013263, Eyebrow Threading  
12 Station; and item 24, Case No. 22-45-  
13 013388, Christina Botial.

14 The motion would be to grant the  
15 Motions to Deem Facts Admitted.

16 CHAIR O'NEILL:

17 I move to grant the Motions to Deem  
18 Facts Admitted?

19 MS. KELLY:

20 So moved.

21 MS. D'AMATO-DOW:

22 Second.

23 MS. EATON:

24 Arion Claggett, aye; Tammy O'Neill,  
25 aye; Nicole Weakland, aye; Elisa Brown,

1 abstain; Jennifer D'Amato-Dow, aye;  
2 Teresa Whisler, aye; Heather Kelly,  
3 aye.

4 [The motion carried. Elisa Brown abstained from  
5 voting on the motion.]

6 \*\*\*

7 MR. BARRETT:

8 There was one that was on the first  
9 iteration of the agenda that went out,  
10 Aminah Aguilar. That was on the agenda  
11 just for discussion with counsel in  
12 Executive Session. There is no vote  
13 needed on that. That was considered,  
14 though, and I believe, Valerie Eaton,  
15 amended the agenda on the Board's  
16 website.

17 \*\*\*

18 Report of Board Counsel - Citation Appeals

19 MR. BARRETT:

20 Items 25 and 26 are Citation Appeals.  
21 Based on Executive Session  
22 deliberations, I believe the Board  
23 Chair would approve the Citation  
24 Appeals at Case No. 21-45-011729, Maria  
25 Perez Polanco and Case No. 22-45-

1 002735, Jennifer Dawn Lawrence.

2 CHAIR O'NEILL:

3 May I have a motion to approve the  
4 Citations?

5 MS. KELLY:

6 So moved.

7 MS. D'AMATO-DOW:

8 Second.

9 MS. EATON:

10 Arion Claggett, aye; Tammy O'Neill,  
11 aye; Nicole Weakland, aye; Elisa Brown,  
12 abstain; Jennifer D'Amato-Dow, aye;  
13 Teresa Whisler, aye; Heather Kelly,  
14 aye.

15 [The motion carried. Elisa Brown abstained from  
16 voting on the motion.]

17 \*\*\*

18 Report of Board Chairperson - No Report

19 \*\*\*

20 Report of Acting Commissioner - No Report

21 \*\*\*

22 Report of Board Administrator - No Report

23 \*\*\*

24 Applications - Act 41/Endorsement Applications

25 MR. BARRETT:

1 At items 27, 28, and 29, I believe the  
2 Board Chair would entertain a motion to  
3 provisionally deny the Applications of  
4 Eka Uturgaidze, Marisabel Altagracia  
5 Bueno De Salce, and Mohammadi Ali  
6 Ahmadi.

7 CHAIR O'NEILL:

8 May I have a motion to provisionally  
9 deny the Applications?

10 MS. KELLY:

11 So moved.

12 MS. D'AMATO-DOW:

13 Second.

14 MS. EATON:

15 Arion Claggett, aye; Tammy O'Neill,  
16 aye; Nicole Weakland, aye; Elisa Brown,  
17 abstain; Jennifer D'Amato-Dow, aye;  
18 Teresa Whisler, aye; Heather Kelly,  
19 aye.

20 [The motion carried. Elisa Brown abstained from  
21 voting on the motion.]

22 \*\*\*

23 Applications - Variance Request

24 MR. BARRETT:

25 Variance Request AA0004296241,



1 53 and the review of licenses, which was discussed  
2 during Executive Session in quasi-judicial  
3 deliberations.

4 Mr. Barrett addressed Regulation 16A-4518  
5 regarding practice of massage therapy in cosmetology  
6 and esthetician salons. He stated the Cosmetology  
7 Law was amended in 2014 to provide the practice of  
8 massage therapy in cosmetology and esthetician salons  
9 under certain circumstances that are still found in  
10 the act.

11 Mr. Barrett noted the Board received comments  
12 after sending the annex and preamble out for public  
13 comment in 2015. He addressed two comments that  
14 wanted massage therapy individuals performing  
15 services to also be able to be independent  
16 contractors and not have to be employees. He  
17 explained that the General Assembly stated that  
18 massage therapy licensees should be employed by the  
19 salon and not an independent contractor when the law  
20 passed. He noted the Board has no authority to  
21 deviate from that law.

22 Mr. Barrett addressed comments related to the  
23 space requirement, where the proposed regulation  
24 would require the separate massage room to be a  
25 minimum of 120 square feet. He noted many comments

1 requested the minimum square footage to be 90 square  
2 feet. He mentioned that the 120-square foot minimum  
3 was based on discussions with the Massage Therapy  
4 Board because it is a joint regulation.

5 Mr. Barrett noted the 120-square foot minimum is  
6 in the State Board of Massage Therapy regulations,  
7 which enforces the act as far as what massage  
8 therapists are able to perform in a cosmetology  
9 salon.]

10 MR. BARRETT:

11 At this time, I believe the Board Chair  
12 would entertain a motion to approve the  
13 proposed regulation preamble and annex  
14 for massage therapy in salons for  
15 cosmetology or esthetician salons,  
16 Regulation 16A-4518, and direct Board  
17 Counsel to move the proposed rulemaking  
18 through the regulatory process.

19 CHAIR O'NEILL:

20 May I have a motion to approve the  
21 proposed regulation?

22 MS. KELLY:

23 So moved.

24 MS. D'AMATO-DOW:

25 Second.

1 MS. EATON:

2 Arion Claggett, aye; Tammy O'Neill,  
3 aye; Nicole Weakland, aye; Elisa Brown,  
4 abstain; Jennifer D'Amato-Dow, aye;  
5 Teresa Whisler, aye; Heather Kelly,  
6 aye.

7 [The motion carried. Elisa Brown abstained from  
8 voting on the motion.]

9

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10 Discussion Items

11 [Sean Barrett, Esquire, Board Counsel, addressed the  
12 Delegation Order amendment. He noted the  
13 Prothonotary's Office delegates certain cases  
14 automatically to the Hearing Examiner's Office.  
15 Violations of the Cosmetology Act are automatically  
16 sent for review to a hearing examiner. He stated  
17 there were some items not automatically listed, which  
18 include provisionally denying someone under Act 41 or  
19 Act 53 based on criminal history or licensure by  
20 endorsement.

21 Mr. Barrett explained that counsel will draft an  
22 order that is sent to the prothonotary to assign to a  
23 hearing examiner when there is a provisional denial  
24 by the Board. He mentioned the State Board of  
25 Cosmetology has many applications that are denied and

1 it made sense to defer those matters to a hearing  
2 examiner to build a record. He stated the hearing  
3 examiner does not get the final say because the  
4 record would be forwarded to the Board for  
5 consideration following the appeal of a provisional  
6 denial.

7 Mr. Barrett commented that it would be a  
8 timesaving measure for those matters. He noted that  
9 counsel could still issue those orders to delegate  
10 the matters on a case-by-case basis as directed by  
11 the Board, but the prothonotary moves it quicker once  
12 an appeal is received.

13 Mr. Barrett explained further that a new draft  
14 Delegation Order would be proposed to the Board to  
15 include Act 41 and Act 53 matters. He noted that it  
16 did not deprive the Board of an opportunity to  
17 consider those records.]

18 MR. BARRETT:

19 Would the Board Chair entertain a  
20 motion to direct counsel to draft a  
21 Delegation Order, which includes  
22 applications which are denied due to a  
23 criminal history conviction or under  
24 Act 41?

25 CHAIR O'NEILL:



1 a summary of the prosecution division's role and  
2 present annual numbers for 2022. She informed Board  
3 members that the Bureau of Professional and  
4 Occupational Affairs provides administrative and  
5 legal support to all 29 licensing boards and  
6 commissions under the legal support of the  
7 prosecution division, counsel division, and hearing  
8 examiners. She noted the mission is to protect the  
9 health and safety of the public and the integrity of  
10 the profession.

11 Ms. DeLaurentis explained that the Office of  
12 Chief Counsel is under the Governor's Office of  
13 General Counsel and assigned to the Department of  
14 State, noting the prosecution division is one  
15 division under the Office of Chief Counsel. She  
16 noted the prosecution division works with the Bureau  
17 of Enforcement and Investigation (BEI), along with  
18 the Professional Compliance Office (PCO).

19 Ms. DeLaurentis stated BEI, PCO, and prosecution  
20 are all tasked with receiving complaints,  
21 investigating allegations, ensuring public safety,  
22 and enforcing compliance with the acts and  
23 regulations governing the 29 licensing boards and  
24 commissions.

25 Ms. DeLaurentis stated the prosecution division

1 is the largest division under the Office of Chief  
2 Counsel for the Department of State. She explained  
3 that there are five senior prosecuting attorneys  
4 assigned to teams. She informed Board members that  
5 Heather McCarthy was the Senior Prosecutor for the  
6 Board but would be replaced by Karl Geschwindt.

7 Ms. DeLaurentis also noted the other Senior  
8 Prosecutors are Paul Jarabeck, Ray Michalowski, and  
9 William Newport. She mentioned there are currently  
10 32 prosecuting attorneys serving under the senior  
11 attorneys, including Board liaisons.

12 Ms. DeLaurentis addressed the complaint process,  
13 noting complaints are received from any source but  
14 prefer complaints be submitted through the  
15 Pennsylvania Licensing System (PALS) at [pals.pa.gov](http://pals.pa.gov)  
16 because it is the most efficient. She noted  
17 prosecution also accepts complaints from sister  
18 agencies, federal agencies, law enforcement, and  
19 through media reports.

20 Ms. DeLaurentis discussed levels of review,  
21 including jurisdiction checks, noting administrative  
22 assistants review every complaint to see if it falls  
23 under one of the 29 boards and commissions. She  
24 mentioned complaints are referred to the appropriate  
25 agency if prosecution does not have jurisdiction.

1 Ms. DeLaurentis stated that prosecution works  
2 with BEI inspectors and investigators to determine  
3 the most efficient use of resources. She noted  
4 investigations may include interviewing witnesses and  
5 gathering documents. She addressed the various  
6 levels of review and whether there was a violation.  
7 She explained that matters could be closed if there  
8 is not a violation of the act or regulation and  
9 direct attention to other cases.

10 Ms. DeLaurentis discussed the post-investigation  
11 process, where attorneys may need to make charging  
12 decisions based on evidence by filing an order to  
13 show cause or a citation. She noted there is a  
14 hearing process, which is similar to a regular trial,  
15 where both sides are able to present evidence and  
16 present legal arguments.

17 Ms. DeLaurentis noted that if it goes to a  
18 hearing examiner, the hearing examiner usually issues  
19 a proposed adjudication and then it goes to the  
20 boards and commissions for their final decision  
21 because they have the ultimate authority for  
22 discipline. She addressed consent agreements, where  
23 both sides are conducting negotiations and trying to  
24 reach a resolution and present that to the Board,  
25 where the Board could accept or reject the agreement.

1 Ms. DeLaurentis addressed the prosecution  
2 division's role at Board meetings, including  
3 presenting consent agreements and listening to  
4 concerns of the Board. She pointed out that  
5 prosecution has a confidentiality statute that  
6 applies to their files, where all of the contents  
7 within their files is confidential under the law  
8 unless presented publicly and is why prosecution  
9 cannot speak on some matters except for the final  
10 action.

11 Ms. DeLaurentis stated BEI conducts  
12 investigations and interviews, gathers evidence, and  
13 conducts inspections for certain boards. She noted  
14 the role of the investigators is fact gathering and  
15 serving subpoenas, orders, and letters. She  
16 mentioned that prosecution has subpoena authority,  
17 but BEI does not have search warrant authority and is  
18 limited. She noted BEI also testifies to the results  
19 of their investigations and inspections. She also  
20 noted they have inspection authority but do not have  
21 statutory authority and cannot remain at that  
22 location if asked to leave.

23 Ms. DeLaurentis addressed documents upon request,  
24 where some boards and commissions have regulations  
25 that require cooperation but not everyone complies

1 and charges may be filed for failure to comply. She  
2 stated that all of the evidence gathered is presented  
3 to the teams and reviewed by prosecuting attorneys  
4 and legal analysts to determine whether there was a  
5 violation of the act or regulation to decide whether  
6 to close the case or charge.

7 Ms. DeLaurentis addressed immediate temporary  
8 suspensions, where someone is an immediate danger to  
9 the health and safety of the public, and is different  
10 than charging documents with an order to show cause,  
11 where the license remains intact depending on the  
12 outcome of the case. She noted automatic suspensions  
13 include 302 commitments, orders for examination, and  
14 drug act violations. She also noted petitions for  
15 appropriate relief are when someone has violated a  
16 board order.

17 Ms. DeLaurentis stated that levels of discipline  
18 include revocations, suspensions, probations,  
19 reprimands, fines, remedial education, and cost of  
20 the investigation. She mentioned that some cases  
21 could have more than one type of discipline and can  
22 be found in more than one category in the report.

23 Ms. DeLaurentis referred to the confidentiality  
24 statute under 63 Pa.C.S. § 3109, where prosecution and  
25 investigative files are deemed privileged and

1 confidential under the law. She explained that  
2 Department of State investigative files are deemed  
3 noncriminal investigative records under the Right-to-  
4 Know Law.

5 Ms. DeLaurentis stated that information could be  
6 shared with other agencies in furtherance of  
7 investigative efforts but only their final action  
8 could be shared publicly, including final  
9 adjudications and orders, final consent agreements,  
10 and final letters.

11 Ms. DeLaurentis provided data as of January 3,  
12 2023, where the number of open cases for the  
13 prosecution division was 13,154, which is down from  
14 2022 at 15,141. She stated 16,084 cases were opened  
15 in 2022 and is down from 2021 at 18,363 cases. She  
16 reported closing 17,826 files in 2022 and is up from  
17 2021, where 15,994 cases were closed. She thanked  
18 the prosecution division, counsel division, and Board  
19 for their group effort.

20 Ms. DeLaurentis informed Board members that an  
21 annual report is issued to the General Assembly,  
22 which includes a breakdown of case categories, and  
23 would be available soon for review.

24 Ms. DeLaurentis addressed specific information  
25 for the State Board of Cosmetology, noting 1,641

1 cases were opened in 2022, which was down from 2021  
2 at 2,333. She reported 2,595 cases were closed in  
3 2022 and is an increase from 2021 at 2,074. She  
4 noted 1,247 cases were open as of January 3 and is  
5 down from the prior year at 2,194.

6 Ms. DeLaurentis referred to the disposition of  
7 closed cases, including discipline and non-  
8 discipline. She reported 465 cases resulted in fines  
9 in 2022 and was up from 269 in 2021. She also noted  
10 41 cases resulted in probation in 2022 and 15 in  
11 2021. She mentioned that non-disciplinary actions  
12 are called Z codes in their system, where prosecution  
13 was not warranted.

14 Ms. DeLaurentis addressed warning letters, noting  
15 886 warning letters in 2022 and 500 in 2021. She  
16 explained that warning letters are not discipline but  
17 help maintain the integrity of the profession by  
18 attempting to correct any behavior that may become an  
19 issue and are given for de minimis violations.

20 Ms. DeLaurentis thanked everyone for allowing her  
21 to serve in the prosecution division on their behalf  
22 and is looking forward to continuing her work with  
23 the Department of State.]

24 \*\*\*

25 Appointment - Bureau of Finance and Operations

1 Annual Budget Presentation

2 [Michelle Witmer, Fiscal Management Specialist,  
3 Bureau of Finance and Operations, Department of  
4 State, presented the 2022-2023 budget information.  
5 She addressed licensee population over the past seven  
6 years, noting 131,327 licensees as of January 18.

7 Ms. Witmer stated that estheticians and nail  
8 technicians are renewing this year, along with half  
9 of the cosmetologists who renew every other year and  
10 then the natural hair braiders, teachers, and salons.

11 She reported that 96 percent of revenue comes from  
12 renewals and applications and compared renewals in  
13 FY22-23 to FY20-21, which showed a significant  
14 increase in licensees.]

15 \*\*\*

16 [Attendees in Boardroom C experienced technical  
17 difficulties.]

18 \*\*\*

19 [Acting Commissioner Claggett asked Ms. Witmer to  
20 present the budget information again at the next  
21 meeting. He also informed everyone that there would  
22 not be a public comment period due to the technical  
23 issues. He then suggested adjourning the meeting.]

24 \*\*\*

25 Adjournment

1 ACTING COMMISSIONER CLAGGETT:

2 Do I have a motion to adjourn?

3 MS. KELLY:

4 So moved.

5 MS. D'AMATO-DOW:

6 Second.

7 ACTING COMMISSIONER CLAGGETT:

8 We apologize for the inconvenience  
9 folks, but this meeting is now  
10 adjourned.

11 \*\*\*

12 [There being no further business, the State Board of  
13 Cosmetology Meeting adjourned at 11:53 a.m.]

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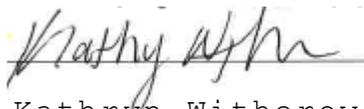
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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Cosmetology meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Cosmetology meeting.



Kathryn Witherow,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF COSMETOLOGY  
REFERENCE INDEX

January 30, 2023

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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:44	Official Call to Order
10:45	Roll Call
10:46	Approval of Minutes
11:47	Report of Board Prosecution Motions
10:55	Report of Board Counsel
10:56	Introduction of Attendees
10:47	Report of Board Counsel (cont.)
11:00	Applications
11:03	Discussion Items
11:15	Appointment - Carolyn A. DeLaurentis, Esquire, Executive Deputy Chief Counsel, Department of State, Annual Prosecutorial Division Presentation
11:46	Appointment - Bureau of Finance and Operations Annual Budget Presentation
11:53	Adjournment