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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: 10:30 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, November 20, 2023

State Board of Cosmetology  
November 20, 2023

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BOARD MEMBERS:

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

BUREAU PERSONNEL:

Shana M. Walter, Esquire, Senior Board Counsel  
Jared Hinsey, Esquire, Board Counsel  
Thomas M. Davis, Esquire, Board Regulatory Counsel  
William Newport, Esquire, Senior Board Prosecution Liaison  
J. Karl Geschwindt, Esquire, Acting Senior Board Prosecutor  
Adrienne McClendon, Esquire, Board Prosecution Liaison  
Julius Zeitlinger, Esquire, Board Prosecutor  
Valerie Eaton, Board Administrator  
Andrew LaFratte, MPA, Deputy Policy Director, Department of State

ALSO PRESENT:

Aaron Shenck, Executive Director, Pennsylvania Association of Private School Administrators  
Karen Kaminski, Allure Salon Suite Consulting, LLC  
Anthony Panuccio, Gmerek Government Relations, Inc.  
Debbie Eckstine-Weidner, Cosmetology Instructor, Cumberland Perry Vo-Tech  
Shianne Wallenmeyer  
Laura Brown  
Heather DeAngelo, Assistant Director, Empire Beauty School  
Janette Zellers, Divisional Vice President, Empire Beauty Schools

State Board of Cosmetology  
November 20, 2023

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ALSO PRESENT: (cont.)

- Matthew Deem, Educator, Empire Education Group
- Morgan Nelling, Executive Director, Empire Beauty School
- Kari Orchard, Democratic Executive Director, House Professional Licensure Committee
- Stacey Reid, Assistant Director, Empire Beauty Schools
- Lori Sekelsky
- Mike Gent, Curriculum Coordinator, Pennsylvania Department of Corrections
- Henry
- Tiffany
- Victoria Lantz

1 \*\*\*

2 State Board of Cosmetology

3 November 20, 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 Jared Hinsey, Esquire, Board Counsel, for the  
8 purpose of conducting quasi-judicial deliberations on  
9 a number of matters currently pending before the  
10 Board and to receive the advice of counsel. The  
11 Board returned to open session at 10:30 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Cosmetology was held on Monday, November 20,  
15 2023. Tammy Y. O'Neill, Chair, Professional Member,  
16 called the meeting to order at 10:30 a.m.

17 \*\*\*

18 [Jared Hinsey, Esquire, Board Counsel, noted the  
19 meeting was being recorded, and those who continued  
20 to participate were giving their consent to be  
21 recorded.

22 Mr. Hinsey also noted the Board entered into  
23 Executive Session with Board Counsel to have  
24 attorney-client consultations and for the purpose of  
25 conducting quasi-judicial deliberations.]

1 \*\*\*

2 Roll Call/Introduction of Attendees

3 [Valerie Eaton, Board Administrator, provided a roll  
4 call of Board members and introduction of attendees.]

5 \*\*\*

6 Approval of Minutes of September 25, 2023

7 CHAIR O'NEILL:

8 Next on our agenda, we will go for  
9 approval of minutes from our last  
10 meeting on September 25.

11 Can I have a motion to approve?

12 ACTING COMMISSIONER CLAGGETT:

13 So moved.

14 MS. D'AMATO-DOW:

15 Second.

16 MS. EATON:

17 Roll call.

18  
19 Arion Claggett, aye; Tammy O'Neill,  
20 aye; Nicole Weakland, aye; Elisa Brown,  
21 aye; Felicia Brown-Haywood, aye;  
22 Jennifer D'Amato-Dow, abstain; Teresa  
23 Whisler, aye; Stephen Szabo, aye;  
24 Heather Kelly, abstain.

25 [The motion carried. Jennifer D'Amato-Dow and

1 Heather Kelly abstained from voting on the motion.]

2 \*\*\*

3 Report of Board Prosecution

4 [J. Karl Geschwindt, Esquire, Acting Senior Board  
5 Prosecutor, presented the Consent Agreement for Case  
6 No. 19-45-016524 and Case No. 23-45-009934.]

7 \*\*\*

8 [William A. Newport, Esquire, Senior Board  
9 Prosecutor, presented the Consent Agreements for Case  
10 No. 22-45-001048 and Case No. 23-008854.]

11 \*\*\*

12 MR. HINSEY:

13 Based on the presentation of the  
14 prosecution division, does any Board  
15 member wish to reenter Executive  
16 Session for deliberations on any of  
17 these matters? Hearing none.

18 Based on Executive Session  
19 deliberations, I believe the Board  
20 Chair would entertain a motion to  
21 approve the Consent Agreements in the  
22 matters of agenda item 2, Case No. 19-  
23 45-016524; agenda item 3, Case No. 22-  
24 45-001048; agenda item 4, Case No. 23-  
25 45-008854; and agenda item 5, Case No.

1 23-45-009934.

2 CHAIR O'NEILL:

3 Can I have a motion to approve?

4 ACTING COMMISSIONER CLAGGETT:

5 So moved.

6 CHAIR O'NEILL:

7 Second to the motion?

8 MS. D'AMATO-DOW:

9 Second.

10 CHAIR O'NEILL:

11 Roll call.

12

13 Arion Claggett, aye; Tammy O'Neill,  
14 aye; Nicole Weakland, aye; Elisa Brown,  
15 aye; Felicia Brown-Haywood, aye;  
16 Jennifer D'Amato-Dow, aye; Teresa  
17 Whisler, aye; Stephen Szabo, aye;  
18 Heather Kelly, aye.

19 [The motion carried unanimously. The Respondent at  
20 item 2 is Devonna Bunton; agenda item 3, Expressions  
21 Hair Fashion; agenda item 4, Ketleen Dormeus; and  
22 agenda item 5, Posh Nails & Spa.]

23

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24 Report of Board Counsel - Proposed Adjudications and  
25 Orders

1 MR. HINSEY:

2 Based on Executive Session  
3 deliberations, I believe the Board  
4 Chair would entertain a motion to adopt  
5 the proposed Adjudications and Orders  
6 in the matters of agenda item 6,  
7 Michele Lorraine Krzewinski, Case No.  
8 22-45-017082, and agenda item 8, Eka  
9 Uturgaidze, Case No. 23-45-001663.

10 CHAIR O'NEILL:

11 Can I have a motion to adopt the  
12 Adjudication and Orders?

13 ACTING COMMISSIONER CLAGGETT:

14 So moved.

15 MS. D'AMATO-DOW:

16 Second.

17 MS. EATON:

18 Roll call.

19  
20 Arion Claggett, aye; Tammy O'Neill,  
21 aye; Nicole Weakland, aye; Elisa Brown,  
22 aye; Felicia Brown-Haywood, aye;  
23 Jennifer D'Amato-Dow, aye; Teresa  
24 Whisler, aye; Stephen Szabo, aye;  
25 Heather Kelly, aye.



1 [The motion carried unanimously.]

2

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3 MR. HINSEY:

4

Based on Executive Session

5

deliberations, I believe the Board

6

Chair would entertain a motion to

7

rescind the vote on September 25, 2023,

8

adopting the Proposed Adjudication and

9

Order in the matters of agenda item 7,

10

Shakera Sanders, Case No. 22-45-009134.

11

CHAIR O'NEILL:

12

Can I get a motion to rescind the vote?

13

ACTING COMMISSIONER CLAGGETT:

14

So moved.

15

MS. D'AMATO-DOW:

16

Second.

17

MS. EATON:

18

Roll call.

19

20

Arion Claggett, aye; Tammy O'Neill,

21

aye; Nicole Weakland, aye; Elisa Brown,

22

aye; Felicia Brown-Haywood, aye;

23

Jennifer D'Amato-Dow, aye; Teresa

24

Whisler, aye; Stephen Szabo, aye;

25

Heather Kelly, aye.

1 [The motion carried unanimously.]

2 \*\*\*

3 MR. HINSEY:

4 Based on Executive Session  
5 deliberations, I believe the Board  
6 Chair would entertain a motion to  
7 approve the Application and grant a  
8 license on probationary status to  
9 practice cosmetology in the matter of  
10 agenda item 7, Shakera Sanders, Case  
11 No. 22-45-009134.

12 CHAIR O'NEILL:

13 Can I get a motion to approve?

14 ACTING COMMISSIONER CLAGGETT:

15 So moved.

16 MS. D'AMATO-DOW:

17 Second.

18 MS. EATON:

19 Roll call.

20  
21 Arion Claggett, aye; Tammy O'Neill,  
22 aye; Nicole Weakland, aye; Elisa Brown,  
23 aye; Felicia Brown-Haywood, aye;  
24 Jennifer D'Amato-Dow, aye; Teresa  
25 Whisler, aye; Stephen Szabo, aye;

1 Heather Kelly, aye.

2 [The motion carried unanimously.]

3 \*\*\*

4 Report of Board Counsel - Final Adjudications and  
5 Orders

6 MR. HINSEY:

7 Based on Executive Session  
8 deliberations, I believe the Board  
9 Chair would entertain a motion  
10 directing Board Counsel to issue the  
11 Final Adjudications and Orders in the  
12 matters at agenda item 9, Diarra  
13 African Hair Braiding, Case No. 20-45-  
14 009369; agenda item 10, DeShawna Bell-  
15 Fassett, Case No. 22-45-018807; agenda  
16 item 11, Christina Botial, Case No. 22-  
17 45-013388; agenda item 12, Ha T. Chu,  
18 Case Nos. 21-45-017752 & 21-45-017740;  
19 agenda item 13, Jason Croughn, Case No.  
20 20-45-003120; agenda item 14, Eyebrow  
21 Threading Station, Case No. 22-45-  
22 013263; agenda item 15, Infamous Beauty  
23 Salon, Case No. 23-45-005579; agenda  
24 item 16, Antoinette Kester, Case No.  
25 19-45-005344; agenda item 17, Tiffany

1                   Krout, Case No. 20-45-002517; agenda  
2                   item 18, MT Nails, Case No. 23-45-  
3                   002040; agenda item 19, Storee  
4                   Robinson, Case No. 22-45-005857; agenda  
5                   item 20, Tran Best Nail & Spa, Case No.  
6                   23-45-002009; and agenda item 22,  
7                   Liberty Nails and Spa, Case No. 21-45-  
8                   008596.

9 CHAIR O'NEILL:

10                   Can I have a motion to approve the  
11                   agenda items 9 through 20 and 22 for  
12                   Final Adjudication and Orders?

13 ACTING COMMISSIONER CLAGGETT:

14                   So moved.

15 MS. D'AMATO-DOW:

16                   Second.

17 MS. EATON:

18                   Roll call.

19  
20                   Arion Claggett, aye; Tammy O'Neill,  
21                   aye; Nicole Weakland, aye; Elisa Brown,  
22                   aye; Felicia Brown-Haywood, aye;  
23                   Jennifer D'Amato-Dow, aye; Teresa  
24                   Whisler, aye; Stephen Szabo, aye;  
25                   Heather Kelly, aye.

1 [The motion carried unanimously.]

2 \*\*\*

3 MR. HINSEY:

4 The Board is tabling the matter at  
5 agenda item 21, Toan Doan, Case No. 22-  
6 45-009997.

7 \*\*\*

8 Report of Board Counsel - Citation Appeals

9 MR. HINSEY:

10 Based on Executive Session  
11 deliberations, I believe the Board  
12 Chair would entertain a motion to  
13 dismiss the Citation Appeals at agenda  
14 item 23, Maryann Kutz, Case No. 22-45-  
15 013163, and agenda item 24, Jared  
16 Skinner, Case No. 22-45-005624.

17 CHAIR O'NEILL:

18 Can I have a motion to dismiss the  
19 Citation Appeals?

20 ACTING COMMISSIONER CLAGGETT:

21 So moved.

22 MS. D'AMATO-DOW:

23 Second.

24 MS. EATON:

25 Roll call.

1

2

Arion Claggett, aye; Tammy O'Neill,

3

aye; Nicole Weakland, aye; Elisa Brown,

4

aye; Felicia Brown-Haywood, aye;

5

Jennifer D'Amato-Dow, aye; Teresa

6

Whisler, aye; Stephen Szabo, aye;

7

Heather Kelly, aye.

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[The motion carried unanimously.]

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10 Report of Board Counsel - Applications

11 MR. HINSEY:

12

Moving on to the Application case at

13

item 25.

14

Based on Executive Session

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deliberations, I believe the Board

16

Chair would entertain a motion to

17

rescind the vote on September 25, 2023,

18

provisionally denying the matter at

19

agenda item 25, Eligerta Zotai.

20 CHAIR O'NEILL:

21

Can I have a motion to rescind the vote

22

from our meeting of September 25, 2023?

23 ACTING COMMISSIONER CLAGGETT:

24

So moved.

25

MS. D'AMATO-DOW:

1 Second.

2 MS. EATON:

3 Roll call.

4

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

11 [The motion carried unanimously.]

12

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13 MR. HINSEY:

14 Based on Executive Session  
15 deliberations, I believe the Board  
16 Chair would entertain a motion to  
17 approve the Application and grant a  
18 Provisional License to Practice  
19 Cosmetology in the matter of agenda  
20 item 25, Eligerta Zotai.

21 CHAIR O'NEILL:

22 Can I have a motion to grant the  
23 license?

24 ACTING COMMISSIONER CLAGGETT:

25 So moved.

1 MS. D'AMATO-DOW:

2 Second.

3 MS. EATON:

4 Roll call.

5

6 Arion Claggett, aye; Tammy O'Neill,  
7 aye; Nicole Weakland, aye; Elisa Brown,  
8 aye; Felicia Brown-Haywood, aye;  
9 Jennifer D'Amato-Dow, aye; Teresa  
10 Whisler, aye; Stephen Szabo, aye;  
11 Heather Kelly, aye.

12 [The motion carried unanimously.]

13

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14 Report of Board Chairperson - No Report

15

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16 Report of Acting Commissioner

17 [Arion R. Claggett, Acting Commissioner, Bureau of  
18 Professional and Occupational Affairs, informed Board  
19 members that the request for proposal (RFP) for the  
20 Pennsylvania Licensing System (PALS) replacement was  
21 issued on September 28, 2023. He noted the  
22 department is currently accepting bids until November  
23 27, 2023, and he would provide an additional update  
24 at the next meeting.]

25

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1 Report of Board Administrator - No Report

2 \*\*\*

3 Applications

4 MR. HINSEY:

5 The Board will be tabling the matter at  
6 agenda item 26, Michelene Benoit.

7 \*\*\*

8 MR. HINSEY:

9 Based on Executive Session  
10 deliberations, I believe the Board  
11 Chair would entertain a motion to  
12 provisionally deny the Applications for  
13 Licensure as a Cosmetologist by  
14 Endorsement at agenda item 27, Edna  
15 Loaiza; agenda item 28, Anny Sanchez;  
16 agenda item 29, Prashant Bhatia; agenda  
17 item 30, Rachel Mae Meicke; and agenda  
18 item 31, Marizete Nobrega.

19 CHAIR O'NEILL:

20 Can I have a motion to deny agenda  
21 items 27 through 31?

22 ACTING COMMISSIONER CLAGGETT:

23 So moved.

24 MS. D'AMATO-DOW:

25 Second.

1 MS. EATON:

2 Roll call.

3

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

10 [The motion carried unanimously.]

11

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12 MR. HINSEY:

13 Based on Executive Session  
14 deliberations, I believe the Board  
15 Chair would entertain a motion to  
16 approve the Application for Esthetician  
17 Licensure by Endorsement at agenda item  
18 32, Tatiana Gurina.

19 CHAIR O'NEILL:

20 Can I have a motion to approve the  
21 Endorsement Application for item 32?

22 ACTING COMMISSIONER CLAGGETT:

23 So moved.

24 MS. D'AMATO-DOW:

25 Second.

1 MS. EATON:

2 Roll call.

3

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

10 [The motion carried unanimously.]

11

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12 Report of Board Members - No Report

13

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14 Report of Regulatory Counsel

15 [Thomas M. Davis, Esquire, Board Regulatory Counsel,  
16 informed Board members that he served as Board  
17 Counsel for other boards over the past six years or  
18 so but would now be helping with regulations for nine  
19 boards.

20 Mr. Davis provided a Regulatory Status Report for  
21 the Board's review, noting the Board has four active  
22 regulations. He provided an update for 16A-4518  
23 regarding massage therapists in cosmetology or  
24 esthetician salons. He mentioned the regulation is  
25 jointly promulgated with the State Board of Massage

1 Therapy and sets some ground rules for having massage  
2 therapists in the salons themselves.

3 Mr. Davis drafted a response tolling memo that  
4 had been awaiting internal review as of October 19,  
5 2023. He explained the regulatory review process,  
6 where it goes through the Office of General Counsel  
7 and then to the Office of Attorney General (OAG) if  
8 approved. He mentioned OAG wanted more elaboration  
9 as to where the Board has the authority to do certain  
10 things.

11 Mr. Davis noted sending a response to the Office  
12 of General Counsel on November 9, which was sent to  
13 the Office of Attorney General for review. He noted  
14 it to be the last hurdle before being published in  
15 the *Pennsylvania Bulletin* mid-December through mid-  
16 January for a 30-day comment period.]

17 \*\*\*

18 Discussion Item

19 MR. HINSEY:

20 Based on Executive Session  
21 deliberations, I believe the Board  
22 Chair would entertain a motion to  
23 approve the proposed dates for the  
24 Cosmetology Board meetings in 2024 of  
25 February 12, April 8, June 10, August

1 12, and October 21.

2 CHAIR O'NEILL:

3 Can I have a motion to approve the 2024  
4 meeting dates?

5 ACTING COMMISSIONER CLAGGETT:

6 So moved.

7 MS. D'AMATO-DOW:

8 Second.

9 MS. EATON:

10 Roll call.

11

12 Arion Claggett, aye; Tammy O'Neill,  
13 aye; Nicole Weakland, aye; Elisa Brown,  
14 aye; Felicia Brown-Haywood, aye;  
15 Jennifer D'Amato-Dow, aye; Teresa  
16 Whisler, aye; Stephen Szabo, aye;  
17 Heather Kelly, aye.

18 [The motion carried unanimously.]

19

\*\*\*

20 MR. HINSEY:

21 Based on Executive Session  
22 deliberations, I believe the Board  
23 Chair would entertain a motion to  
24 approve the proposed dates for the  
25 Cosmetology Board meetings in 2025 of

1 January 6, February 24, April 7, June  
2 9, August 4, October 6, and December 8.

3 CHAIR O'NEILL:

4 Can I have a motion to approve the  
5 dates for the 2025 Board meetings?

6 ACTING COMMISSIONER CLAGGETT:

7 So moved.

8 MS. D'AMATO-DOW:

9 Second.

10 MS. EATON:

11 Roll call.

12  
13 Arion Claggett, aye; Tammy O'Neill,  
14 aye; Nicole Weakland, aye; Elisa Brown,  
15 aye; Felicia Brown-Haywood, aye;  
16 Jennifer D'Amato-Dow, aye; Teresa  
17 Whisler, aye; Stephen Szabo, aye;  
18 Heather Kelly, aye.

19 [The motion carried unanimously.]

20 \*\*\*

21 Public Comment

22 [Shianne Wallenmeyer asked whether she could work  
23 alone as a licensed nail tech in a cosmetology salon  
24 if the cosmetologist is not present.

25 Mr. Hinsey informed Ms. Wallenmeyer that the

1 Board is not permitted to advise her on what she can  
2 or cannot do with her license and referred her to the  
3 regulations and the act. He recommended she reach  
4 out to an attorney for advice if she has questions  
5 about specific employment.

6 Mr. Hinsey stated the regulations and the act are  
7 both listed on the State Board of Cosmetology  
8 website.

9 Laura Brown expressed concern with state  
10 inspections in the cosmetology industry and requested  
11 clarification as far as modalities and services that  
12 are not allowed.

13 Ms. Eaton referred Ms. Brown to the scope of  
14 practice in the regulations, where it specifically  
15 defines what each license type is permitted to do in  
16 salons.

17 Ms. Brown commented that it is almost open to the  
18 specific inspector's interpretation of the  
19 regulations versus the actual regulations and  
20 becoming muddled as far as following the law and  
21 regulations.

22 Acting Commissioner Claggett suggested Ms. Brown  
23 provide the Board with specific examples, so he could  
24 discuss the issues with inspectors.

25 Ms. Brown explained that an inspector told her

1 during the inspection that they had training on what  
2 to look for and then they issue citations. She noted  
3 that communicating with salons prior to the  
4 inspection could allow them to rectify issues prior  
5 to the inspection.

6 Mr. Hinsey suggested Ms. Brown send the specific  
7 issue to the resource account for review of what is  
8 being targeted by enforcement. He explained that the  
9 Bureau of Enforcement and Investigation (BEI) is a  
10 separate entity from the Board itself and the Board  
11 would have to speak with BEI.

12 Ms. Brown provided a specific example, where they  
13 are not permitted to do dermaplaning but  
14 microdermabrasion and hydrodermabrasion are also  
15 being added depending on the inspectors themselves.

16 Ms. Eaton offered to send the information to the  
17 appropriate authority.

18 Karen Kaminski, Owner, Allure Salon Group, asked  
19 whether someone is considered a salon owner or  
20 business partner when a person pulls a license and  
21 adds a person to the license. She explained that her  
22 facility is a salon suite facility but they do not  
23 refer to themselves as salon suites because it is a  
24 studio salon facility.

25 Ms. Kaminski further explained that each one of



1 her members have to pull their own license, set up  
2 their own employer identification number (EIN), pull  
3 their own state board for inspections, and are  
4 considered a license. She referred to franchise  
5 models, where the franchisee pulls all the licenses  
6 and then adds the renter or the beauty professional  
7 onto that license.

8 Ms. Kaminski requested a description of those  
9 people and whether they are considered co-owners or  
10 business partners. She mentioned starting her  
11 company in 2016, where there were owners and  
12 employees and no gray area, and asked what it is  
13 considered when they have a salon license pulled by  
14 someone and add a person to it in order to collect  
15 rent.

16 Mr. Hinsey stated booth rental is strictly  
17 prohibited from the practice of cosmetology and  
18 should not be occurring. He noted salon studios and  
19 salon suites pose different things because of the  
20 actual structure of the business, whether someone  
21 becomes a part owner of the building or a business  
22 partner in some way, and would all be under the  
23 employment contracts or the business negotiations of  
24 a salon owner.

25 Ms. Kaminski explained that she is specifically

1 talking about a salon license and if she was the  
2 owner of a large salon group, pulled a license, and  
3 had somebody in her spaces that they would be an  
4 employee and would not be added to the salon license  
5 and would not be able to collect rent from them.

6 Ms. Kaminski commented that it is happening and  
7 referred to the franchise model, where they are  
8 pulling the licenses and then in order to collect  
9 rent, they are adding the person's name to the  
10 license. She asked whether they are now considered a  
11 business owner, salon owner, or partner on that  
12 license.

13 Ms. Eaton explained that they are considered a  
14 partner for that particular salon suite license  
15 because they do not use the word owner.

16 Ms. Kaminski asked whether the person being added  
17 to the salon license then holds a salon license.

18 Ms. Eaton noted that they are technically  
19 considered a partner on that salon license.

20 Ms. Kaminski commented that they have a  
21 completely different name when they register their  
22 business with the state of Pennsylvania.

23 Mr. Hinsey explained that the Board cannot  
24 provide any advice concerning the legal concept of  
25 ownership and registration of a business because that

1 is not regulated by the State Board of Cosmetology.

2 Ms. Kaminski mentioned having a new location  
3 opening in Lansdale and asked if it would be legal to  
4 apply for 23 licenses, have Allure Salon Group as the  
5 salon owner, and add members who want to rent spaces  
6 onto the salon license.

7 Mr. Hinsey stated the Board cannot provide legal  
8 advice as far as whether something is legal or not  
9 and suggested she speak with an attorney regarding  
10 how the business is structured and who gets on what  
11 license to guide her through the regulations of the  
12 State Board of Cosmetology and the Pennsylvania  
13 Department of Labor.

14 Ms. Kaminski asked who would be responsible if  
15 somebody is injured in the salon by the person who  
16 was added to the license if she was the owner.

17 Mr. Hinsey explained that it would fall under  
18 liability law and civil liabilities. He noted the  
19 State Board of Cosmetology does not govern liability  
20 or how liability is structured within salons or to  
21 the license. He noted she would have to talk to her  
22 liability insurance attorney or another business  
23 attorney for guidance.

24 Ms. Kaminski stated they have each one of their  
25 members pull their own license and are set up in the

1 state of Pennsylvania, set up in cosmetology, and set  
2 up with all their insurances so each one are  
3 independent businesses. She noted the gray area is  
4 when they add somebody onto a license and who has the  
5 responsibility.

6 Debbie Eckstine-Weidner, Cosmetology Instructor,  
7 Cumberland Perry Vo-Tech, referred to the previous  
8 conversation and commented that it is her  
9 understanding that anytime they add an owner that  
10 they have to get another license because it is change  
11 of ownership.

12 Ms. Eaton explained that there is an application  
13 to add and delete partners if there are multiple  
14 owners.

15 Ms. Eckstine-Weidner commented that they have to  
16 do that every time somebody comes into that suite  
17 experience. She mentioned that students are asking  
18 questions concerning which one should they go to and  
19 about legal requirements. She noted explaining to  
20 students that they are responsible for everything in  
21 the entire facility when they go on as a partner and  
22 requested confirmation from the Board as to whether  
23 that is correct.

24 Mr. Hinsey noted that would fall under the  
25 liabilities and what their partnership agreements

1 call for with liability.

2 Ms. Eaton further explained that at least one  
3 owner must remain the same when adding and deleting  
4 partners for a change application. She noted that a  
5 new license would be required when there is a  
6 complete change of ownership with none of the  
7 owners.]

8 \*\*\*

9 Adjournment

10 CHAIR O'NEILL:

11 Can I get a motion to adjourn our  
12 meeting?

13 ACTING COMMISSIONER CLAGGETT:

14 So moved.

15 MS. D'AMATO-DOW:

16 Second.

17 \*\*\*

18 [There being no further business, the State Board of  
19 Cosmetology Meeting adjourned at 11:18 a.m.]

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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.



Victoria Lantz,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF COSMETOLOGY  
REFERENCE INDEX

November 20, 2023

|    | TIME  | AGENDA                        |
|----|-------|-------------------------------|
| 1  |       |                               |
| 2  |       |                               |
| 3  |       |                               |
| 4  |       |                               |
| 5  |       |                               |
| 6  |       |                               |
| 7  |       |                               |
| 8  |       |                               |
| 9  | 9:00  | Executive Session             |
| 10 | 10:30 | Return to Open Session        |
| 11 |       |                               |
| 12 | 10:30 | Official Call to Order        |
| 13 |       |                               |
| 14 | 10:31 | Roll Call                     |
| 15 |       |                               |
| 16 | 10:31 | Introduction of Attendees     |
| 17 |       |                               |
| 18 | 10:34 | Approval of Minutes           |
| 19 |       |                               |
| 20 | 10:35 | Report of Board Prosecution   |
| 21 |       |                               |
| 22 | 10:42 | Report of Board Counsel       |
| 23 |       |                               |
| 24 | 10:53 | Report of Acting Commissioner |
| 25 |       |                               |
| 26 | 10:56 | Report of Regulatory Counsel  |
| 27 |       |                               |
| 28 | 10:59 | Discussion Items              |
| 29 |       |                               |
| 30 | 11:02 | Public Comment                |
| 31 |       |                               |
| 32 | 11:18 | Adjournment                   |
| 33 |       |                               |
| 34 |       |                               |
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