

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND
REGULATION

BEFORE THE SOUTH CAROLINA COSMETOLOGY BOARD

AUGUST 22ND 2011

BOARD MEMBERS:

ROSANNE KINLEY, CHAIRMAN

MELANIE THOMPSON, VICE CHAIRMAN

DELORIS GILMER

SELENA BROWN

DEAN GRIGGS, ADVICE COUNSEL

This meeting/hearing was held in room 105 at the South Carolina Department of Labor, Licensing and Regulation, The Kingstree Building, 110 Centerview Drive, Columbia, South Carolina, reported by Cecelia P. Englert, Verbatim Court Reporter and Notary Public in and for the State of South Carolina; said

meeting/hearing being held on the 22nd day of August,

2011, scheduled for 10:00 a.m. and commencing at 10:05

a.m.

1 MS. KINLEY: Meeting called to order. Public notice of
2 this meeting was properly posted at the South
3 Carolina Board of Cosmetology Office, Synergy
4 Business Park, Kingstree Building and provided to
5 all requesting persons, organizations and news
6 media, in compliance with Section 30-4-80 of the
7 South Carolina Freedom of Information Act.

8 May we all rise for the Pledge of Allegiance.

9 (All rise and say the "Pledge of Allegiance.")

10 MS. KINLEY: Rules of the meeting read by the chairman,
11 and I don't have those, but y'all just behave.
12 We'll say it that say. Approval of excused
13 absences -- well, I'm sorry, I skipped one.
14 Introduction of board members and all other persons
15 attending. We'll start with you, Dottie.

16 MS. BUCHANAN: Dottie Buchanan, LLR.

17 MS. KINLEY: If you'll just stand and state your name
18 for the record, please.

19 MS. RODRIGUEZ: Oh, I'm so sorry.

20 MS. KINLEY: That's okay.

21 MS. RODRIGUEZ: Diane Rodriguez.

22 MR. RODRIGUEZ: Victor Rodriguez.

23 MS. KINLEY: Thank you.

24 MR. ANDREWS: DeLeon Andrews, investigator.

25 MS. DEBENEDETTO: Jessica DeBenedetto, LLR.

1 MS. BAILY-GLOVER: Roz Bailey Glover, LLR.
2 MS. HAWSEY: Lisa Hawsey, LLR.
3 MR. GRIGGS: Dean Griggs, advice counsel.
4 MS. KINLEY: Rosanne Kinley, board member.
5 MS. BROWN: Selena Brown, board member.
6 MS. ENGLERT: Ciel Englert, court reporter.
7 MS. KINLEY: Guys.
8 MS. THOMPSON: Melanie Thompson, board member.
9 MS. KINLEY: Deloris.
10 MS. GILMER: Yes, I'm here.
11 MS. KINLEY: Can you state your name for the record,
12 Deloris, that you're here.
13 MS. GILMER: Deloris Gilmer, board member.
14 MS. KINLEY: Thank you. And we do have one excused
15 absence, Kathy Webb had a dental emergency this
16 morning and cannot be with us. And we have not
17 been able to locate Cindy Rodgers. I suspect she
18 didn't get the call in information.
19 Approval of the agenda.
20 MS. GILMER: Make the motion to approve.
21 MS. KINLEY: Deloris made a motion to approve.
22 MS. BROWN: Second.
23 MS. KINLEY: Selena seconded. Any discussion?
24 (NO RESPONSE.)
25 MS. KINLEY: All those in favor, signify by saying aye.

1 BOARD MEMBERS: Aye.

2 MS. KINLEY: Opposed? Motion carries. Deloris, if you
3 want to talk, I don't know if you've got me on
4 speaker phone or what, but if you have anything to
5 interject, you're going to have to speak up because
6 we can barely hear you sweetheart, okay?

7 MS. GILMER: Oh, okay.

8 MS. KINLEY: All right. Good. Chairman's remarks,
9 we're going to skip that this morning. And I'm
10 assuming we have no administrator's remarks, we
11 have no old business. We're moving right on, new
12 business. Don't you love how I operate a board
13 meeting?

14 MR. GRIGGS: Absolutely, love it.

15 MS. KINLEY: First on the agenda is the IRC Report,
16 DeLeon.

17 MR. ANDREWS: Yes. Sorry Bobby's not here because
18 probably 99 percent of these are Bobby's, and I'm
19 working on other projects right now, so --

20 MS. KINLEY: Melanie, did you and Deloris receive the
21 IRC Report that was emailed out?

22 MS. GILMER: Yes.

23 MS. THOMPSON: I did. And just, Rosanne, I'm having
24 time hearing anyone whose speaking besides you.

25 MS. KINLEY: Okay. We'll have them come closer when

1 anyone wants to speak.

2 MS. THOMPSON: Okay.

3 MR. ANDREWS: Any questions about the -- any questions
4 about the IRC report, Melanie?

5 MS. THOMPSON: Give me just one -- I've just gotten it
6 and just printed it. I'm looking over it now. I'm
7 a little curious as to the number of unlicensed
8 practice violations here that are all unfounded.

9 MS. KINLEY: On the "dismissed" side on the first page?

10 MS. THOMPSON: Yes, number one. There seems to be a lot
11 of unlicensed practice, and most of them are
12 unfounded. Just curious as to --

13 MR. ANDREWS: We get a lot of -- we get a lot of
14 messages or, I guess, everything from emails that
15 unlicensed practice is occurring at a salon
16 location. And then we get together with an
17 inspector and we go out to the site, and it's kind
18 of a hit or miss. Sometimes you find it; sometimes
19 you don't.

20 MS. KINLEY: You know how that goes.

21 MS. THOMPSON: Uh-huh.

22 MS. KINLEY: Customer testified positive for MRSA after
23 pedicure.

24 MS. THOMPSON: Uh-huh.

25 MS. KINLEY: Are our worst nightmares coming true?

1 MS. THOMPSON: Uh-huh.

2 MR. ANDREWS: Yes.

3 MS. KINLEY: I know that was Bobby's, but --

4 MR. ANDREWS: Yeah. 2-11-190?

5 MS. KINLEY: 193.

6 MS. BROWN: 193.

7 MR. ANDREWS: Okay. You've also got 190 also.

8 MS. THOMPSON: There's also on Page 2 as well.

9 MS. KINLEY: Oh, okay. Sorry.

10 MS. THOMPSON: But one of them was unfounded, and then
11 the other one -- the other -- 2-11-190. It's a
12 statute violation on Page 2, but on Page 1 says
13 "unfounded."

14 MR. ANDREWS: Okay. I guess they took samples, and
15 those samples came back from DHEC I guess with no
16 evidence of any bacterial --

17 MS. KINLEY: So she didn't contract it there is what
18 you're saying then.

19 MR. ANDREWS: Well, it's kind of -- it was -- it's kind
20 of after-the-fact, you know. They could have
21 cleaned up and that could have just been one
22 instance or whatever. But there's so many
23 circumstances because it's a snapshot of that day,
24 you know. It could have been there, but you can
25 only make a judgment call on when you went to that

1 site.

2 MS. KINLEY: That is bad, bad stuff.

3 MR. COOK: Madam Chairman.

4 MS. KINLEY: Yes, sir.

5 MR. COOK: I had the chief inspector do some additional
6 research on MRSA and how --

7 MS. KINLEY: Melanie, can you hear Ron?

8 MS. THOMPSON: Barely.

9 MS. KINLEY: Can you come forward a little bit to the
10 front?

11 MR. COOK: I asked the chief inspector, Ronnie Blackman,
12 to do some additional investigation on MRSA. When
13 these two complaints came up. And he has some
14 additional information about how it's carried, how
15 it's spread, how it's contacted, etc. If you'd
16 like for me, I can get him down here and let him
17 explain that to you.

18 MS. KINLEY: Well, no offense, but I probably could have
19 taught him all that because we teach those classes
20 all the time through there. You know, our biggest
21 concern is --

22 MS. GILMER: That they are operating.

23 MS. KINLEY: No. Mycobacteria and fortuital
24 (phonetically), which definitely comes from the
25 pedicure thrones. Yeah, MRSA can be contracted

1 anywhere, carried in the nasal passages. So, yeah,
2 like DeLeon was saying, they go in there and do a
3 good scrubbing, then all that evidence disappears
4 and the reality is, if they did that good scrubbing
5 ahead of time, on a daily basis, nobody would be
6 at-risk. So I'm good with that. Thank you, Ron.

7 MS. KINLEY: So what about the 190?

8 MR. ANDREWS: 190. I guess they found a unlicensed
9 person working during that inspection. So they
10 were bringing up charges.

11 MS. KINLEY: Were these related, do you know?

12 MR. ANDREWS: I don't know. I'm sorry. Bobby said he
13 was going to come over here as soon as he was
14 finished with another board, so --

15 MS. KINLEY: Seven unlicensed persons found.

16 MS. THOMPSON: That has two different case numbers, 195
17 and 198, but it says --

18 MS. KINLEY: And 199.

19 MS. THOMPSON: -- different things and, yeah, 199. So I
20 don't understand why there would be three different
21 ones with the exact same wording under that
22 description.

23 MR. ANDREWS: A lot of times when we go out to a site
24 and we find someone working without a license, you
25 open up a complaint against the nail shop, and I

1 guess this is just generically. You know, you
2 might have gone looking for John Smith, but when
3 you get there, you find Tammy Sue, Betty Jones and
4 whoever else out there. And so then we turn around
5 and open up individual cases against those
6 individuals, okay? Or against the owner of the
7 nail shop, the manager of the nail shop for aiding
8 and abetting unlicensed practice.

9 So you open up -- you know, you have one on
10 the salon, you have one on the manager, and you
11 might have one on the individual themselves. If
12 they -- maybe they were using someone else's
13 license. So there's just many, many different
14 scenarios, but a lot of times a case, when you're
15 going out looking for -- we got a tip of unlicensed
16 practice at a salon, we go out and it just spider
17 webs in several other different areas.

18 MS. THOMPSON: That's what I understand. I'm just a
19 little confused on just why the wording under each
20 separate case number would be exactly the same.
21 Why wouldn't it specify something along the lines
22 of what you just said? You know, one was violation
23 of sanitation issues, one was a violation of
24 unlicensed practice and one was a -- rather than
25 saying the seven unlicensed persons found blah,

1 blah, blah, blah, blah.

2 MR. ANDREWS: I think in this case -- let me -- if I'm
3 -- if I know this case, I think I have some
4 information on this case. There were -- we have --
5 I guess Ron now, I guess with the inspectors, we
6 not only go out one time, we might go out again,
7 you know, in 30 days and check again, to see for
8 unlicenced practice, and that's a case-by-case
9 basis. But it's really been very effective out
10 there in pursuing a lot of these individuals.

11 And I think in this case, they went out the
12 first time looking for unlicenced practice and they
13 found three. And they were using other's license.
14 Then they came -- we went back out a second time
15 and they found four people working in the shop
16 unlicenced. And nobody was licensed in this shop
17 at the time. So that's why it's saying "seven
18 unlicenced persons found working on two separate
19 inspections." It says that "two separate
20 inspections." So they find a total of seven people
21 working. And so you've got a case against the
22 salon; you've got a case against the two
23 individuals whose license were being used also.
24 And most likely, cease and desist orders were
25 issued against the individuals who had no license.

1 MS. KINLEY: Can we just hope that after March 2013,
2 this problem is at the much-less magnitude.

3 MR. COOK: Once we get the microbiotics up and running,
4 it should diminish this problem. Hopefully, it
5 will.

6 MS. KINLEY: If I can cross my toes, that's what we're
7 doing. That will be a wonderful day. 207, 212 and
8 213.

9 MR. ANDREWS: That was a salon. License had expired for
10 some period of time. And because of that, the
11 salon license had been expired for one period of
12 time. We had a -- it was found during an
13 inspection, found the salon was unlicensed, okay?
14 Then in turn, the salon has two different owners
15 and cases were -- okay? -- opened separately, okay?

16 MS. KINLEY: But these that say "statute violation,"
17 what do we -- I mean, all of them do. Are we doing
18 civil penalties? C&Ds?

19 MR. ANDREWS: I think things are -- I guess legal is
20 working on that.

21 MS. KINLEY: Okay.

22 MR. ANDREWS: Okay.

23 MS. KINLEY: So they won't fall through the cracks.

24 MR. ANDREWS: No. They will not fall through the
25 cracks.

1 MS. KINLEY: Thank you. There was another one, before I
2 jump ahead. If we can -- where did I see that? It
3 was one that somebody was working with a tattoo
4 artist. Where did it go?

5 MS. THOMPSON: I think it's on page 1.

6 MS. KINLEY: Yeah, it was a dismissal, insufficient
7 evidence. Shares the same area, water and utensils
8 with the tattoo artist.

9 MS. THOMPSON: 181.

10 MS. KINLEY: Yeah. I mean --

11 MR. ANDREWS: There again, it's one of those things when
12 you go out to the site, it's whatever is happening
13 in that time. And if you can't find any way to
14 connect --

15 MS. KINLEY: But I'm not sure that we have anything
16 prohibiting a tattoo artist from working in the
17 salon.

18 MS. THOMPSON: I wonder what the shared utensils are,
19 though.

20 MR. ANDREWS: Well, that was -- I think it was more
21 of a --

22 MS. KINLEY: That's the scary part.

23 MR. ANDREWS: I think it was --

24 MS. THOMPSON: The water in the area doesn't scare me as
25 much as the utensils do.

1 MR. ANDREWS: Yeah. Well, I'm not sure. I guess, like
2 I said, this was Bobby's case and I'm not sure of
3 the details on it.

4 MS. KINLEY: I know it was dismissed and unfounded, but
5 I don't usually see those. And unless you are
6 using (inaudible) in the salon, on 184.
7 Injectables? Was that supposedly injectables?

8 MR. ANDREWS: Yes, I believe it was.

9 MS. KINLEY: Wow. Is that one we've seen on the news
10 recently?

11 MR. ANDREWS: I don't know.

12 MS. THOMPSON: If it was an unfounded issue, why was it
13 a cease and decess issue?

14 MS. KINLEY: They didn't have a salon license.

15 MS. BROWN: They didn't have --

16 MS. KINLEY: They couldn't prove they were using
17 injectables, but they didn't have a salon license.
18 So they obviously were doing other --

19 MR. ANDREWS: Correct.

20 MS. KINLEY: -- salon activities.

21 MS. THOMPSON: Okay. That was my question. I mean, if
22 they couldn't prove they were doing anything wrong,
23 how did they know that they were operating as a
24 salon.

25 MS. KINLEY: I just can't believe anybody would allow

1 somebody to do that, though. Oh well. All right.

2 Does anybody have any other questions for DeLeon?

3 MS. GILMER: No.

4 MS. KINLEY: I'll entertain a motion.

5 MS. BROWN: I'd like to make a -- I'd like to make a
6 motion that we accept these reports as --

7 MS. KINLEY: Submitted?

8 MS. BROWN: -- information, submitted as information.

9 MS. GILMER: Second.

10 MS. KINLEY: Have a motion and a second. Any further
11 discussion?

12 (NO RESPONSE.)

13 MS. KINLEY: Hearing none, all those in favor, signify
14 by saying aye.

15 BOARD MEMBERS: Aye.

16 MS. KINLEY: Opposed? Motion carries. Did you get that
17 Ciel?

18 COURT REPORTER: Yeah.

19 MS. KINLEY: Thank you. Request for reinstatement of
20 salon license, Visage Salon, Victor and Diane
21 Rodriguez. If y'all would come forward, simply so
22 they can hear everything that's being said.

23 Thanks. They're coming forward for you.

24 So it's my understanding that the salon
25 license had not been renewed since 2008; is that

1 correct?

2 MR. RODRIGUEZ: Uh-huh.

3 MS. KINLEY: Tell me about it.

4 COURT REPORTER: I need to swear them in.

5 MS. KINLEY: I'm sorry. Need to be sworn in.

6 Identification shown and sworn in.

7 COURT REPORTER: You got your license?

8 MR. RODRIGUEZ: I left it in the car.

9 COURT REPORTER: Do you have your license?

10 MS. RODRIGUEZ: Uh-huh.

11 COURT REPORTER: Okay. Can I see your license? What do

12 you want to do about his license? He left it in

13 the car.

14 MS. KINLEY: Since they're both owners speaking, we can

15 just let her just do the speaking, if that's okay.

16 MR. GRIGGS: They will be under oath.

17 MS. KINLEY: Yeah. It might be easier, if you want to

18 interject anything that you'll just step out and

19 grab your driver's license.

20 (Off the record.)

21 (The witnesses are sworn in.)

22 MS. KINLEY: So is there any explanation to the lapse of

23 two cycling periods on the renewal of the license?

24 MS. RODRIGUEZ: We are --

25 MR. GRIGGS: Ma'am, you have to turn a little bit so she

1 can hear you.

2 COURT REPORTER: I can't hear you. And I can read your
3 lips if you're looking at me. Go ahead.

4 MS. RODRIGUEZ: An honest, innocent oversight. I mean,
5 we've never -- we don't operate that way. I don't
6 even know how we could let something as important
7 as this just go before us. But we've never had any
8 other blemishes or any other problems ever in
9 almost 20 years of working, or owning our business.
10 And we're just -- just very, very, very sorry that,
11 you know, we made this terrible mistake --
12 oversight, I mean.

13 MS. KINLEY: So you have been in business for almost 20
14 years, you said?

15 MS. RODRIGUEZ: Yes, ma'am.

16 MS. KINLEY: And how many employees or independent
17 contractors are in your salon?

18 MS. RODRIGUEZ: We have six.

19 MS. KINLEY: Six. And to be truthful, this was a
20 unscheduled board meeting. Our next board meeting
21 was not till September 12th.

22 MS. RODRIGUEZ: Yes, ma'am.

23 MS. KINLEY: And you would have been delayed till that.
24 But it was my compassion for those people who were
25 going to be out of work for possible five weeks

1 that -- and there was no where else in the regs or
2 statutes to remedy the situation. So that's why,
3 you know, I want y'all to understand that, you
4 know, we have compassion and we don't want to put
5 people out of work. That is not our ultimate goal.
6 But we do have, just like you're responsible for
7 your salon license and your individual license, if
8 y'all are individually licensed practitioners.
9 But, you know, it's your responsibility to check
10 and make sure that booth renters license are
11 renewed and cosmetologists license are renewed and
12 the cosmetology license is renewed, those
13 individual licenses. It's very important --

14 MS. THOMPSON: Madam Chair, I would like to ask if they
15 are licensed individually. And if their individual
16 license were renewed and have been in good standing
17 this entire time.

18 MS. RODRIGUEZ: Yes.

19 MS. KINLEY: You are licensed as?

20 MS. RODRIGUEZ: Cosmetologists.

21 MR. RODRIGUEZ: Cosmetologists.

22 MS. KINLEY: Both of y'all are licensed cosmetologists?

23 MR. RODRIGUEZ: Yes.

24 MS. KINLEY: And you have renewed -- those licenses are
25 current Shirley?

1 MR. COOK: Madam Chair, Mr. Andrews may be able to shed
2 some light on that. I had him do a total
3 background.

4 MS. KINLEY: Okay. DeLeon. You'll need to be sworn in
5 also, DeLeon.

6 (The witness is sworn in.)

7 MR. ANDREWS: Yes, they have been licensed for a long
8 time. And I'm going on memory; I don't have my
9 notes in front of me. They have renewed their
10 licenses late for the past -- since 2003, since we
11 started keeping records and relays, every time.
12 They have, I know Ms. Rodriguez? Okay. Ms.
13 Rodriguez renewed hers -- the shortest period of
14 time was two days late; the longest period of time
15 was 175 days late.

16 Okay. Mr. Rodriguez, he was -- his shortest
17 period of time was -- I can't remember now, maybe
18 something like 20 days, and his longest period of
19 time was 116 days late. So I think when you add
20 them all up, she has operated without her license
21 being active for 336 days. He's operated his
22 license unlicensed or not active for 338, okay.

23 Their salon license expired I think in 2008.
24 Okay. In -- was it -- I think it was either
25 November or October of 2010, someone made a phone

1 call, discussing the salon license and what needed
2 to be done. And I think the staff told them they
3 needed to fill out a new application and pay a
4 hundred dollars. There was no other activity on
5 the salon license until such time when an inspector
6 went out and found that still the license was not
7 active. Is that everything? Okay. So that's all
8 the details.

9 MS. KINLEY: Wow. I mean --

10 MS. THOMPSON: Madam Chair, I'd like to hear what each
11 of them has to say so far as why there seems to be
12 a lapse in them being able to renew their
13 individual license on time, as well as their salon
14 license. As they said, that this is their business
15 and it is of the utmost importance, because it is
16 their livelihood. I don't understand personally
17 how -- I can understand overlooking possibly one or
18 the other, but not both and not consistently.

19 MS. KINLEY: Either of y'all have explanation for this?

20 MS. RODRIGUEZ: Too busy and -- and definitely we need a
21 personal assistant to help, you know, the situation
22 run as smoothly as possible.

23 MS. KINLEY: Do you understand what can happen when
24 they're not renewed? I mean, now?

25 MS. RODRIGUEZ: Yes, ma'am. I'm very, very aware and

1 would never ever -- I will be having alerts go off
2 on my phone, on my calendar.

3 MS. KINLEY: I mean, do you renew your driver's license
4 on time?

5 MS. RODRIGUEZ: Yes, ma'am, I do.

6 MS. KINLEY: I mean, because, you know, if a highway
7 patrolman stops you and your driver's license
8 expired, you go to jail.

9 MS. GILMER: Madam Chair, can I interject?

10 MS. KINLEY: Yes, ma'am.

11 MS. GILMER: How long was this -- how long had this
12 lapsed again, since 2008?

13 MS. KINLEY: Yes, ma'am.

14 MS. GILMER: Okay. Thank you.

15 MS. KINLEY: Which means we've gone through two renewal
16 cycling periods since then.

17 MS. THOMPSON: And so at the point where their
18 individual license has been lapsed for any where a
19 couple days to over almost 200 days, at that point
20 in the renewal, neither one of you stopped to
21 consider the actual salon license? I mean, there
22 was no discussion with it among the six people
23 working in the salon about their license renewal
24 and no one thought to renew a salon license? Or to
25 check up with each other and say, "You know, it's

1 renewal date." The renewal date's been the same
2 since the beginning of licensure. I mean, it's one
3 of those -- one of those numbers that's ingrained
4 in every practitioner's head from the moment they
5 enroll in school.

6 MR. RODRIGUEZ: Employees don't -- don't really pay
7 attention to --

8 MS. KINLEY: Are they booth renters? Or are they --

9 MR. RODRIGUEZ: Employees.

10 MS. KINLEY: They're employees. So they don't have
11 independent contract license, okay.

12 MS. THOMPSON: But they have individual practitioner's
13 license.

14 MS. KINLEY: Exactly. Did they renew on time? DeLeon,
15 did you check these --

16 MR. ANDREWS: No, ma'am. No, ma'am.

17 MS. KINLEY: I would be curious to know.

18 MS. THOMPSON: I would be too.

19 MS. KINLEY: If Hillary Ann Halstead, Courtney Woods --
20 I can't read somebody's writing.

21 MR. ANDREWS: We will look into it.

22 MS. KINLEY: Stephanie Jeffcoat. I would just be
23 curious if their licenses -- obviously, they were
24 valid when the inspector went in recently. But I
25 would just be curious to know whether they have

1 renewed theirs on time or not. This is serious and
2 you're there to set the example. I mean, when it
3 comes down -- in my salon, I've got 15 workers.
4 They know that in November, I am screaming, "Have
5 you done your continuing education? Have you done
6 your continuing education?" Because that is my
7 salon license.

8 And that means that when I hit that golden day
9 -- among many reasons -- that when I hit the golden
10 day of 50 years of age and 25 years continual
11 licensure, I don't have to do my continuing ed
12 anymore. Y'all will never be able to achieve that
13 status because you have to have an undisciplined
14 license in order to exempt from continuing ed. So
15 you'll never be able to mark that box that you can
16 exempt from continuing ed.

17 Plus, your salon is in Mount Pleasant and I'm
18 assuming a high caliber salon, that the public
19 wants to know that you're aware, and that you're
20 making efforts to make sure you're following all
21 the laws that are set forth within this state. And
22 you're not following the easiest law, which is to
23 renew a license -- it doesn't require a class
24 behind it -- then what else are you not doing?
25 I've noticed that, you know, when they did come in,

1 your wet disinfectant was --

2 MS. BROWN: Needed filled up.

3 MS. KINLEY: -- was not filled up. You didn't have a
4 Sharps container. So when your slack on one thing,
5 it sets an example to the public that you don't
6 care about the safety and welfare of their
7 services. I just think it's inexcusable, to be
8 honest with you.

9 MR. RODRIGUEZ: It is inexcusable, but we've operated as
10 -- as good as we can for many, many years.

11 MS. KINLEY: No. In other words, you didn't get caught
12 for many, many years.

13 MR. RODRIGUEZ: Well, there's a lot of people that
14 operate that don't get caught for many, many years.

15 MS. THOMPSON: That doesn't make it right.

16 MR. RODRIGUEZ: In their -- in their situation -- their
17 situation, it doesn't make it right and it's not --
18 and it's inexcusable, just like you said. But, I
19 mean, we try our best.

20 MS. KINLEY: Well, in the future, I think you're going
21 to try a whole lot harder.

22 MS. RODRIGUEZ: Yes, ma'am.

23 MS. KINLEY: Because, to be quite honest with you, if I
24 had been privy to the information that this was not
25 an oversight, in my opinion at this point, that

1 it's more the norm, going back as far as we can
2 trace for the past eight years, since 2003, then I
3 would have said, "Then they can wait till September
4 12th before this hearing." But like I said, my
5 compassion was for the workers in your salon that
6 are out of business now.

7 Any other questions?

8 (NO RESPONSE.)

9 MS. KINLEY: I'm looking at our fine schedule. Does
10 anyone have that in front of them? I know
11 Selena --

12 MS. BROWN: The fine.

13 MS. KINLEY: We have the fine schedule. Does anyone on
14 the telephone --

15 MS. THOMPSON: I do not. No, I do not have it in front
16 of me.

17 MS. KINLEY: I would entertain a motion that we go into
18 executive session for discussion with Dean of some
19 legal issues.

20 MS. THOMPSON: So moved.

21 MS. GILMER: Second.

22 MS. KINLEY: Okay. I have a motion and a second.

23 Melanie motioned; Deloris seconded to enter into
24 executive session at this time. Any further
25 discussion?

1 (NO RESPONSE.)

2 MS. KINLEY: Hearing none, all those in favor, signify
3 by saying aye.

4 BOARD MEMBERS: Aye.

5 MS. KINLEY: Deloris? Deloris?

6 MS. GILMER: Yes, ma'am.

7 MS. KINLEY: Can you say aye?

8 MS. GILMER: Yes, I did.

9 MS. KINLEY: I'm sorry. Thank you, sweetheart.

10 Opposed? Motion carries. If we could clear the
11 room, we're going to go into executive session for
12 just a few minutes and we'll call you back in in
13 just a minute, okay?

14 (Executive Session.)

15 MS. KINLEY: Call this meeting back to order. For the
16 record, there were no motions made or votes taken
17 during executive session. Selena, do you have a
18 motion today?

19 MS. BROWN: Yes, Madam Chair. I have a motion that we
20 grant the application for a salon license to Visage
21 Salon.

22 MS. GILMER: Second.

23 MS. THOMPSON: Second.

24 MS. KINLEY: Have a motion and a second for
25 reinstatement of Visage Salon. Any further

1 discussion?

2 (NO RESPONSE.)

3 MS. KINLEY: Hearing none, all those in favor, signify
4 by saying aye.

5 BOARD MEMBERS: Aye.

6 MS. KINLEY: Opposed? Motion carries. Mr. and Mrs.

7 Rodriguez, the board did grant reinstatement of the
8 salon license. Just for your knowledge, we do not
9 take this very lightly. This is a blatant,
10 habitual disregard of the laws established by the
11 Board of Cosmetology, and we do not -- it's --
12 there is absolutely no excuse. I expect more out
13 of a salon of your caliber. You knew better. You
14 have basically taunted the system, probably for the
15 past 20 years. I can verify for the past eight
16 years, that you've had total disregard.

17 And it is situations like this that in the
18 words of one of my board members, are burning this
19 industry, leaving it in flames. And I for one, as
20 a board chair, will not condone it. This board
21 will not condone it. And I certainly don't expect
22 LLR to condone it. At this point, you do have your
23 license. The cease and desist is lifted. But we
24 are turning it over for disciplinary action at this
25 time. We're turning it over to General Counsel for

1 further investigation.

2 So that concludes today's hearing. You're
3 free to go with your license and reopen. But I'm
4 not happy. I'm happy that people are gone back to
5 work, because it is not this board's -- we don't
6 have any desire to prohibit anyone from making a
7 living. This is what we all do on a daily basis.
8 But there are laws set forth and we expect everyone
9 to abide by them. And just coming in here saying
10 "everybody else does it," is not an excuse. So
11 have a good day.

12 (Witnesses leave the room.)

13 MS. KINLEY: Now for discussion. We're moving onto
14 fingerprinting of the biometric implementation.
15 I'm sorry; hold on one second.

16 MS. WILDER: If we can give staff just a couple minutes
17 to get down. I just sent someone to go upstairs to
18 get them.

19 MS. KINLEY: Perfect. We'll take a break then.

20 MS. THOMPSON: Rosanne, Kathy is beeping in now. If
21 someone maybe wants to call her from there and tell
22 her she can now -- if she's able to speak --

23 MS. KINLEY: Perfect.

24 MS. THOMPSON: Join conference call.

25 MS. KINLEY: I'll text her.

1 MS. THOMPSON: Okay.

2 MS. GILMER: When you say "take a break," how do we do
3 this?

4 MS. KINLEY: Just put your phone down and run to the
5 potty, if that's what you need.

6 MS. GILMER: Oh, okay, okay. Don't hang up, in other
7 words.

8 MS. KINLEY: No, ma'am. No, ma'am. I'd prefer you not
9 to.

10 MS. BROWN: Do we need to do anything else?

11 MS. THOMPSON: Do we know how long we're taking a break
12 for?

13 MS. KINLEY: Five minutes. DeLeon, did you need
14 something before y'all --

15 MR. ANDREWS: Yeah. Did you --

16 MS. KINLEY: -- take a break?

17 MR. ANDREWS: Bobby's here now, if you needed to ask any
18 questions about those reports.

19 MS. KINLEY: We've already taken the vote to accept them
20 as submitted, so -- I'm sorry, did somebody say
21 something over there?

22 MS. GILMER: I'm going on my break now?

23 MS. KINLEY: Okay. Five minutes, Deloris.

24 (Off the record.)

25 MS. KINLEY: With us right this minute, ladies, I do

1 believe we have a representative from Ardonali to
2 talk with us or present us the licensure paper that
3 we've made efforts to go to prior to 2013 renewal
4 for us.

5 MR. RISER: What I brought -- and you may have seen this
6 -- is a media of the actual document which is
7 printed before you.

8 COURT REPORTER: I didn't get your name. Can you say it
9 one more time?

10 MR. RISER: My name is John Riser. These will probably
11 be in-house by the end of the week. They're
12 shipping it today or tomorrow. It incorporates
13 ink-based features. One of them is a feature that
14 is currently on our currency, five, tens, twenty
15 dollar bills. It is done with a yellow -- would
16 you like for me to get up and present it?

17 MS. KINLEY: Selena hasn't seen it.

18 MS. BROWN: I've never seen it.

19 COURT REPORTER: Just talk loud.

20 MS. KINLEY: Can y'all see it?

21 MS. THOMPSON: Yeah. It looks good from here.

22 MS. GILMER: Here, too.

23 MS. BROWN: I will look at it for us.

24 MR. COOK: Are you planning to go --

25 MS. THOMPSON: Thank you.

1 MR. COOK: -- to have an inspector in-house.

2 MS. KINLEY: Yes. That's for any new license.

3 MR. RISER: I would like for you to take a look at
4 this border.

5 MR. COOK: And then we'll incorporate the biometrics --

6 MR. RISER: One of the features is --

7 MR. COOK: -- (inaudible).

8 MR. RISER: -- is an enhanced high resolution border.

9 And within that border it says "micro-security" in
10 that border. Can you see the letters?

11 MS. BROWN: Yes, I do. Uh-huh.

12 MR. RISER: So that when it -- if it -- if and when it's
13 copied, copiers cannot pick up that small type. So
14 it will be closed in and actually be a line, or be
15 broken lines. And the investigators will know to
16 look for that when they're doing license
17 inspections.

18 The other items that we've incorporated is a
19 feature that is now in the currency. If you'll
20 look on your five dollar bill on the face on the
21 left corner, you'll see the yellow ink that is in
22 there, or on the back in the right corner --

23 MS. KINLEY: I thought that was a smudge.

24 MR. RISER: -- is the ink. And it says -- and these are
25 fives. And then on tens, they're tens, twenties.

1 What we've done is actually incorporated dots in
2 our printing with this yellow ink and it confuses
3 color copiers, and it will cause the color copiers
4 to either bring up a message that says
5 "unauthorized copy." It will actually shut down
6 the software within the color copiers, or it will
7 output just a blank -- or a black sheet or either a
8 sheet that has what we call striations in it or
9 lines, black lines, in the color copier.

10 So originally what's going to happen, is some
11 of these guys are going to get these forms, I'm
12 sure, and try to duplicate them on the color copier
13 and it's going to shut it down. Eventually they'll
14 figure out how to do it. But for a while, it will
15 slow them down considerably. The other thing that
16 we've done is incorporated a panagraph in the
17 background that will show a void feature. It will
18 just say "void" or "duplicate." So that will help
19 as well.

20 So the main things that we have are the high
21 resolution micros printed borders, if you don't
22 know what to look for, the yellow and -- and the
23 blue background, this time will be blue, and the
24 border will be blue. And then to see if there's a
25 void feature present.

1 So those are the three things. And it's a
2 good foundation to start with. Once the
3 duplicators get a handle on that, then I'm sure we
4 can incorporate other things within the license, to
5 take it a step further, whether it be paper based
6 or print base. Yes, ma'am.

7 MS. WILDER: Okay. I know some of the license request a
8 duplicate license.

9 MR. RISER: Uh-huh.

10 MS. WILDER: Okay. When we put that in there to print
11 the duplicate license, we still have to stamp
12 "duplicate" on that license. And then the
13 inspectors know that this is a second license out
14 there.

15 MR. RISER: If that's the current way that you do it
16 now, yes.

17 MR. COOK: That was probably a board decision, Shirley.
18 But you can print anything on there you want to
19 print.

20 MS. WILDER: We can. That's what I was asking.

21 MR. RISER: Right. It's going to be in the same format
22 that you have now. We've just incorporated these
23 features as ink-based features on the front. So
24 however you do it now, you continue to do it --

25 MS. HAWSEY: Will the little rubber stamp --

1 MR. RISER: -- the same way.

2 MS. HAWSEY: -- show up?

3 MR. RISER: Oh, yes.

4 MS. HAWSEY: That's what we do.

5 MR. RISER: Oh, yes.

6 MS. HAWSEY: The rubber stamp duplicate on.

7 MR. RISER: Yes, it will. Yes.

8 MS. KINLEY: One time, right?

9 MS. BROWN: One.

10 MS. HAWSEY: One time, yeah. Just one duplicate.

11 MS. BROWN: One duplicate.

12 MR. COOK: And not on line.

13 MS. KINLEY: Let's not even go there.

14 MR. RISER: Would anybody like to see this?

15 MS. KINLEY: I have seen it.

16 MR. RISER: Good.

17 MS. KINLEY: Yeah. I was thrilled with it.

18 MR. RISER: Good.

19 MS. KINLEY: Like I said, I would love for every renewal
20 cycle after that, for us to come up with something
21 else security-wise that can go into it, so that we
22 stay one step ahead of them.

23 MR. RISER: Exactly.

24 MS. KINLEY: Instead of us trying to, you know --

25 MR. COOK: One of the things John pointed out to me this

1 morning was, there's been some discussion since we
2 last met with the board about each renewal cycle,
3 changing the color of the border.

4 MS. BROWN: I was thinking --

5 MR. COOK: And he had some information on that. You
6 might want to --

7 MR. RISER: Right. This feature, with the enhanced
8 background and the yellow printing in there, which
9 causes the confusion for the color copiers, it
10 works with specific color inks. It has something
11 to do with the black pigment within the background.
12 Like red is a good color to use. There's like a
13 brown; there's a purple. And we're continually
14 working with different colored inks, to see their
15 effectiveness.

16 So when you get ready next time, give me a
17 call, or whoever, and we can work to see which
18 additional colors that we may or may not have
19 available at that time. So once we go through some
20 of those features, then we can look at, you know,
21 doing some paper-based things, pretty much like we
22 do with the vehicle titles now. So it's just a
23 layered approach.

24 MS. BROWN: Very good.

25 MR. RISER: That we continue to use.

1 MS. KINLEY: And so these will be in-house next week?

2 Is that what you --

3 MR. RISER: They're either shipping today or tomorrow.

4 They're coming from our plant in Manchester, New
5 Hampshire, and it usually takes about two days to
6 get here. So I would think by Friday, it would --

7 MS. KINLEY: So any new --

8 MR. RISER: -- be in-house.

9 MS. KINLEY: -- anybody going through the application
10 process within the next -- you know, within the
11 next two weeks, will be getting the paper.

12 MR. RISER: Right.

13 MS. KINLEY: Yes, Roz.

14 MS. BAILEY: The blanks that are used to notify
15 individuals to renew, are those blank sheets also
16 going to have the same ink-base features? Because
17 these are blank sheets that we order. And then we
18 tell the customer, "Here's your I.D. Here's your
19 passport. Renew." So those will continue to --

20 MS. KINLEY: Yeah. Those will --

21 MS. BAILEY: -- remain blank.

22 MS. KINLEY: -- continue to be -- those are not
23 security-risks.

24 MS. KINLEY: Just the same as the booth renter or the
25 salon license is not a security risk yet. So I

1 think we can stay the same with those.

2 MS. HAWSEY: Are we going to stop using these as soon as
3 it comes?

4 MS. KINLEY: Yes. As I said, within the next two weeks,
5 anything new going out of the office should be
6 going out with --

7 MS. WILDER: Just new. Not reinstatement, nothing like
8 that or --

9 MS. KINLEY: Yeah. Anything new. Anything new going
10 out. Within, you know, once everything is set up
11 within LLR, papers on site, whatever y'all have to
12 do to make magic. At that point, they start going
13 out.

14 MS. HAWSEY: Does this require a certain type of
15 printer? I forgot to ask.

16 MR. RISER: No. No, it does not. Use the same laser
17 printer.

18 MS. HAWSEY: Okay.

19 MR. RISER: And what really helps us, you know,
20 determine what types of needs you have is, you
21 know, understanding what the investigators are
22 running into. Like, for instance, are they running
23 into instances where people are scratching off the
24 toner and things like that, because that happens as
25 well. They'll use bleaching agents, such as

1 chlorine or fingernail polish remover, paint
2 thinners, things of that nature, to do other items.
3 I don't know if they've done that. Are if you guys
4 have seen that in the field or not.

5 MS. KINLEY: And then the photograph will be placed on
6 these starting at renewal in '13, correct? Or will
7 they go on sooner?

8 MR. COOK: Fingerprint and photograph.

9 MS. KINLEY: But will they go on sooner for those --

10 MR. COOK: As soon as you --

11 MS. KINLEY: -- new applicants?

12 MR. COOK: -- soon as you get the schools up and
13 running. Yeah, as soon as they start submitting
14 the information to the SMT --

15 MS. KINLEY: Then that will go on --

16 MR. COOK: -- we'll be ready to --

17 MS. KINLEY: -- till January --

18 MR. COOK: -- integrate that into the issuance of the
19 license.

20 MR. RISER: I know that you've ordered a minimum supply.
21 And once you determine, you know, about the
22 fingerprint information, it may be best to block
23 out an area where the fingerprint may go.

24 MS. KINLEY: Okay.

25 MR. RISER: Just to aid in identification, should they

1 need that area to be scanned, because this yellow
2 portion, of the background, will affect some
3 scanned areas. So that will be something to make a
4 note of. And we can place that anywhere you need
5 it, in any size, in any place on that.

6 (Off-the-record interruption.)

7 MR. COOK: Do you need John or I any further?

8 MS. KINLEY: No. Well, I might need you.

9 MR. COOK: Okay.

10 MS. KINLEY: I might need you, but thank you, John.

11 MR. RISER: Thank you very much.

12 MS. KINLEY: I was real excited about this. This is
13 something that I've been begging for for at least
14 two years now, so --

15 MR. RISER: Appreciate it. Do I need to leave a card or
16 anything?

17 MS. KINLEY: I'd love to have one of your cards. Thank
18 you.

19 MR. RISER: If you need anything else, let me know. Any
20 suggestions, any other information, I'll be happy
21 to help.

22 MS. KINLEY: Thank you. I appreciate it.

23 MR. RISER: Have a great day. Good to see you. Thank
24 you.

25 MS. KINLEY: All right. Now we can go on into the

1 discussion on the implementation of the biometrics.
2 Oh, can I take this? This is Shawn Coltin. He may
3 want to call in for this too.

4 (Off-the-record interruption.)

5 MS. KINLEY: On with fingerprinting for licensure. I
6 made some notes. First thing on here is "letter of
7 intent for interested providers." Do we really --
8 would it be better to do a letter of intent from
9 interested parties to be a registration site? Or
10 in my opinion, a better option would be to devise
11 or create an application that they would have to
12 fill out and submit to the board.

13 I think it should be limited to schools and
14 continuing education providers, in my opinion. And
15 I think some of the options available with that,
16 they would have to have a clean, undisciplined
17 license, a number of years in operation.

18 MS. THOMPSON: Why would the number of years in
19 operation be important?

20 MS. KINLEY: And I don't know. These were just ideas
21 that I was coming up with, just more knowledge of
22 the industry maybe. And I was thinking just even
23 two years, but maybe not. I was just throwing some
24 things out for discussion. So you tell me.

25 MS. THOMPSON: Well, I think if anybody's going --

1 anybody's going to take the time to agree to be a
2 facility that would do this, as well as invest in
3 the equipment, be it however minimal the cost may
4 be, and the fact that they are established and are
5 licensed, either school or a approved provider,
6 that that in and of itself speaks to their
7 qualification.

8 MS. KINLEY: Ron, you were going to say something?

9 MR. COOK: Are you going to make this optional for
10 schools?

11 MS. KINLEY: No. Not for schools. This is just to do
12 the other 30,000 licensees already out there. I'm
13 sorry. I jumped ahead.

14 MS. GILMER: Yes.

15 MS. KINLEY: This is -- I think the schools are a
16 separate entity and that's a requirement.

17 MR. COOK: You're talking salons, etc., that want to be
18 a provider to catch up the renewals.

19 MS. KINLEY: And we had talked about salons, but I had
20 backed off of that opinion on salons. I think if
21 you do that, then we're going to have a lot of
22 salons that we probably don't want involved in this
23 interaction out there, jumping in. So I think it's
24 best if we leave it to continuing education
25 providers and schools.

1 MS. WILDER: You mean when they register to take their
2 classes?

3 MS. KINLEY: Uh-huh. And it would have to be time set
4 up before, during breaks, and then afterwards.
5 They couldn't do it, you know, during their six
6 hours required class time.

7 MS. WILDER: All right. You talking about putting a
8 letter out there for all schools? Or just private
9 schools?

10 MS. KINLEY: Private schools.

11 MS. THOMPSON: What was the question? I'm sorry, I
12 couldn't hear it.

13 MS. KINLEY: She wanted to know if we were going to put
14 it out to all schools or just private schools. And
15 I said, "No." We don't want them showing up at
16 high schools.

17 MS. THOMPSON: Well, I don't think that the public
18 schools would allow them. But aren't we going to
19 require that the public schools also do the same
20 thing --

21 MS. KINLEY: Yeah.

22 MS. THOMPSON: -- and fingerprint their students upon
23 admission?

24 MS. KINLEY: Yeah, they'll have to fingerprint and
25 photograph. But I'm talking about the 30,000

1 licensees that we're sending out.

2 MS. THOMPSON: Right. Right. I think we're going to
3 have to make a differentiation there. We're going
4 to have to -- I mean, because the public schools
5 are going to have to be approved -- or when you
6 mentioned the application, I mean they're going to
7 have to be a provider of this, but not necessarily
8 one that is going to serve as the general public.

9 MS. KINLEY: Absolutely.

10 MS. THOMPSON: Okay.

11 MS. KINLEY: Yes. So somebody's out there taking notes,
12 I'm hoping.

13 MS. THOMPSON: Are you talking to us?

14 MS. KINLEY: No, I wasn't. I wasn't actually talking to
15 you. I was talking to Dottie or Shirley or Jessica
16 or Roz, somebody.

17 MS. THOMPSON: Aren't the minutes being taken?

18 MS. KINLEY: There is. There is.

19 MS. THOMPSON: Okay.

20 MS. KINLEY: So we wanted to differentiate between it's
21 a requirement that all -- it's a requirement that
22 all schools participate in the enrollment process.
23 It is not a requirement that all schools
24 participate in licensing -- in enrolling all of
25 those that are already licensed, right? We're on

1 the same page here?

2 MS. THOMPSON: Yes. They're required to do this, for
3 any of their new applications -- their new students
4 but --

5 MS. KINLEY: Right.

6 MS. THOMPSON: -- they are not required to allow just
7 the general public of licensees come do it.

8 MS. KINLEY: Right.

9 MS. THOMPSON: Okay.

10 MS. KINLEY: And I'm going to jump around, if it's okay.

11 (Off-the-record interruption.)

12 MS. KINLEY: I'm going to jump around, if it's okay,
13 from the order that Lisa placed these in, if that's
14 okay. I think one of the most important things we
15 need to start with is the fee. I think that \$20
16 fee is appropriate. SMT says that they require \$12
17 to maintain -- to process this and maintain it in
18 the bank. I think if we require -- and in my
19 notes, I think the easiest way or the cleanest way
20 to do it is to get SMT to set up the website and
21 the registration and the processing of the credit
22 cards, and then they pay the school or the
23 continuing ed provider for the services they've
24 done, as opposed to the schools doing it and paying
25 back to SMT.

1 So I think that is above and beyond what their
2 \$12 initially was slated for. So I think a dollar
3 per candidate to maintain that, and then a dollar
4 to offset the credit card fees would be feasible.
5 And then the site would get the additional six
6 dollars. So the schools or the continuing ed
7 providers would obtain six dollars out of that \$20.
8 And so -- and Shawn, are you online yet?

9 (NO RESPONSE.)

10 MS. BROWN: Now, how do you convert that again?

11 MS. KINLEY: Okay. Twenty dollars is what the licensee
12 or candidate would have to pay. Twelve dollars
13 would be IQTs or SMTs. Plus, they'd get an
14 additional dollar for maintaining the website for
15 registration, and an additional dollar to offset
16 the credit card fees, because everything is going
17 to have to be through card. No cash, no check.
18 And then six dollars for the site location.

19 MS. GILMER: So what would the schools get?

20 MS. KINLEY: Six dollars.

21 MS. GILMER: Six dollars, okay.

22 MS. KINLEY: We had talked about late fee. I think the
23 simplest thing to do would not be a late fee. That
24 we -- hopefully, we can launch this January 1st of
25 this year --

1 MS. GILMER: Tell me that date again.

2 MS. KINLEY: January 1st, 2012.

3 MS. GILMER: Okay.

4 MS. KINLEY: With e-blast, our website, SMT's website,
5 and then maybe hopefully a letter to be sent to
6 everyone, stating that you have from January 1st,
7 2012 until March 9th or 10th. Y'all tell me;
8 that's renewal 2013. If they're not entered into
9 the system, then they can't renew.

10 MS. THOMPSON: I think you should only do it for a year.
11 I think you should do January to January, because
12 when you come up on renewal, everything's crazy
13 enough. Do you really want all that coming in at
14 the same time?

15 MS. KINLEY: Well, we allow them to get their continuing
16 ed up through January 31st.

17 MS. THOMPSON: Well, let's cut it off there then. I
18 mean, I just wouldn't go till March.

19 MS. KINLEY: Shawn, was that you?

20 MR. COLTIN: Yes.

21 MS. KINLEY: Okay. Cool. So, Melanie, say that again.

22 MS. THOMPSON: I would keep it the same then. I mean, I
23 would just not want it to happen in February and
24 March, same as we don't want con ed classes in
25 February and March, just because of the mass volume

1 of information that's all coming into LLR, the
2 phone calls that are coming, the confusion that's
3 already associated with it.

4 MS. KINLEY: Okay. I'm getting lots of head nods from
5 LLR staff, agreeing with you.

6 MS. THOMPSON: You are very welcome, LLR staff. See
7 I have your back.

8 MS. KINLEY: Dean was agreeing with me, but whatever.

9 MS. GILMER: I agree.

10 MS. THOMPSON: I think a year's time is enough time for
11 anybody to get anything done. I mean --

12 MS. KINLEY: There's some people that -- you know.

13 MS. THOMPSON: -- so January 13th.

14 MS. KINLEY: Nobody else is doing it. So then, January
15 1st, 2012 -- until January -- Chesley, was that
16 you?

17 MS. PHILLIPS: Yes. And I was incorrect when I said at
18 the board meeting -- or not the board meeting but
19 the school meeting that we had last week, we don't
20 renew in 2012.

21 MS. KINLEY: No. '13.

22 MS. PHILLIPS: '13.

23 MS. KINLEY: Yes. So that would give them a year --

24 MS. PHILLIPS: It's not going to be a conflict with the
25 renewal period, correct?

1 MS. THOMPSON: No, she said that it's starting January
2 1st of 2012 is when we're hoping to having
3 everything up and going and ready to move. And
4 then the licensees has until January of 2013 --

5 MS. PHILLIPS: Got you.

6 MS. THOMPSON: -- to complete the process.

7 MS. PHILLIPS: I missed the '13. Thank you.

8 MS. KINLEY: Shawn, do you realistically think we can
9 have this up and running by January 1st of 2013?

10 MR. COLTIN: Yeah. I don't see why it would be a
11 problem with that.

12 MS. KINLEY: Okay. So then can I take it that -- do we
13 need to vote on any of these items that we're --
14 no. Do we need to vote on -- our plan originally
15 was to have a conference call today, that we take
16 these suggestions to our September 12th board
17 meeting and then vote on them.

18 MS. HAWSEY: I thought you would vote on them today.

19 MS. GILMER: Well, we can vote the whole concept of it
20 without going back and forth.

21 MS. HAWSEY: You can vote on September 12th, after --

22 MS. KINLEY: Yeah. That was what our original thing
23 was. This has turned into more of a board meeting.

24 MS. HAWSEY: Right.

25 MS. KINLEY: So there's really no reason --

1 MS. THOMPSON: I mean, I think that we need to take the
2 opportunity that we have which is we have a quorum
3 this is a board meeting. We need to take care of
4 this business and not put anything else on
5 September's agenda. It will be full enough.

6 MS. KINLEY: Yeah. I mean, I -- Dottie.

7 MS. BUCHANAN: One question. On our agenda, we say that
8 this is discussion. We don't have it listed as an
9 action item, so the public wouldn't know that y'all
10 would be taking action at this time.

11 MS. KINLEY: Well, we can't vote, so moving on.

12 MS. THOMPSON: I missed that. I didn't hear what she
13 said.

14 MS. KINLEY: It's listed under "discussion," and, you
15 know, I have this lawyer sitting next to me saying
16 ant'd, ant'd.

17 MS. GILMER: Yeah, at least we know what we want.

18 MS. THOMPSON: We can't vote, even though it's a posted,
19 public meeting?

20 MS. KINLEY: And it's posted as a discussion.

21 MS. THOMPSON: We can't turn it in --

22 MS. KINLEY: She can't see you nodding, but she's
23 nodding.

24 MS. THOMPSON: I'm sorry, I missed what you said.

25 MS. KINLEY: I said Dean's telling us that because --

1 MR. GRIGGS: It's posted for discussing only, so we
2 can't take action as far as a vote or anything.

3 MS. HAWSEY: And I did put that in there because I
4 remember now that you all were going to make your
5 discussion --

6 MS. KINLEY: That was what we originally had said --

7 MS. HAWSEY: -- was final, and vote on it. That way,
8 you wouldn't take up a lot of time in the meeting
9 on the 12th. You could just go ahead and vote and
10 everything. So that's why I listed it like that.

11 MS. KINLEY: Still we shouldn't have to give a whole lot
12 of time to it in the --

13 MS. HAWSEY: No.

14 MS. KINLEY: -- September board meeting, if we come up
15 with all the solutions today.

16 MS. HAWSEY: That's right.

17 MS. THOMPSON: So now that gets back to Shawn. If we
18 don't get this voted and approved on until
19 September, does that mean he can't start -- we
20 can't start moving toward it until after that? And
21 then does that give us enough time to get it up and
22 going by January?

23 MS. GILMER: If it got approval by December.

24 MS. KINLEY: Shawn.

25 COURT REPORTER: Rosanne, I'm not hearing Deloris.

1 MR. COLTIN: I apologize. I didn't know that was
2 directed at me. But I mean --

3 MS. THOMPSON: Well, it kind of was. It was kind of the
4 -- it was kind of the Rosanne and LLR insofar as
5 can we start moving at all, working on it before
6 the September meeting? And if not, then it was
7 directed to you, can we get it done between
8 September and January?

9 MR. COLTIN: That gives us three full months. There
10 shouldn't be a problem. There shouldn't be a
11 problem. The biggest -- I mean, we've already got
12 the software. The biggest thing would be getting
13 the schools signed up and be ensured they are able
14 to get -- ensuring they are able to get the
15 fingerprint readers and they have cameras. So I
16 mean, if that's all we have to work through, I
17 don't see why we couldn't do it by --

18 MS. KINLEY: The only --

19 MR. COLTIN: -- January 2012.

20 MS. KINLEY: -- the only other thing on your end, Shawn,
21 that originally you may not have been anticipating
22 is that for you to set up a website, to maintain a
23 website for these people that are going to be --
24 the 30,000 licensees already out there. What I had
25 suggested a while ago was that on the fee, the fee

1 that we discussed is \$20. Twelve of it for your
2 initial quote, plus an additional dollar for SMT to
3 set up and maintain a website, and then another
4 additional dollar to process the credit card fees.

5 MR. COLTIN: Right.

6 MS. KINLEY: And then you would mail each provider a
7 check --

8 MR. COLTIN: On a monthly basis.

9 MS. KINLEY: -- on a monthly basis, a check for six
10 dollars per registration.

11 MR. COLTIN: Right. Now, would they -- now, I know when
12 we left that school meeting, when the schools --
13 because we're going to have to make sure we know
14 which school to send it to. Are the schools going
15 to be logging in? And when they get these
16 candidates into the system or the licensors into
17 the system, are they going to process the credit
18 card payment right there?

19 MS. KINLEY: What I had envisioned was them registering
20 with SMT, submitting a credit card fee onto your
21 website, and so the fee would be processed there
22 with you.

23 MR. COLTIN: Okay. It would be either way. Even if
24 they go to the schools, it's still going to be
25 processed on our website. It would still be

1 processed when they did it. We just have to talk
2 about the logistics of ensuring the right school
3 gets credited for collecting the money. See, if
4 they did it on the -- so we can pay them. If they
5 did it on the site -- if we go to School 112, if
6 I'm a license-holder, I go to School 112, they
7 collect my fingerprints, they collect my picture,
8 and then the last page is, now under the credit
9 card information, then we know because of who's
10 logged in, what school that goes to.

11 If we're collecting it on the front-end, I
12 just want to make sure there's a way to tie that
13 out, so we can pay the right person their due
14 share. Did you follow me?

15 MS. KINLEY: I did.

16 MR. COLTIN: Okay.

17 MS. PHILLIPS: The one thing I would like to try and --
18 this is Chesley -- I don't think -- and I'm just
19 speaking for myself. I'm all for it. I'm all
20 aboard because I think this is a wonderful thing.
21 But I don't think that a lot of the schools were
22 planning on participating. And I think when the
23 dollar amount dropped down to six dollars, you're
24 going to have even fewer schools.

25 MS. KINLEY: The dollar amount never dropped down to six

1 dollars. It raised from the initial three dollars
2 that we talked about. It went from three dollars
3 to five dollars, and now it's to six dollars.

4 MS. PHILLIPS: Okay.

5 MS. THOMPSON: Well, that wasn't the impression I got.

6 I got the impression from the school owners that
7 they were all -- there were only a few that were
8 hesitant or possibly questioning. But everyone
9 else was all for it, and several of them even went
10 so far as to say that they already had, they
11 thought, equipment that hopefully it would work and
12 be compatible with the software and were anxious
13 about getting it started.

14 MS. PHILLIPS: Okay. Well, maybe I'm -- but I'll be
15 glad to do it for three dollars or five dollars or
16 six dollars; doesn't matter to me.

17 MS. KINLEY: Well, I think we're still going to have
18 sufficient volume of the hundred plus schools that
19 are out there, and the continuing ed providers,
20 which next year is the year that everybody will be
21 flocking to get their continuing ed. So I think
22 we'll have sufficient volume of sites to process
23 this.

24 MS. PHILLIPS: Well, don't forget, I'm going to buy that
25 van, so --

1 MS. KINLEY: Mobile registration. Yeah, I mean, so
2 they're getting -- you know, six dollars for ten
3 minutes of time, when they're not even going to be
4 doing it; they're going to get office staff --

5 MS. PHILLIPS: Right.

6 MS. KINLEY: -- to process it, you know. If they don't
7 want to participate, then the only thing that
8 they're going to be required to do is students
9 enrolling.

10 MS. PHILLIPS: Right.

11 MS. KINLEY: So, Shawn, can you start working forward on
12 your end on that?

13 MR. COLTIN: Yeah, we can just -- we'll talk some time
14 this week.

15 MS. KINLEY: Okay.

16 MR. COLTIN: And we'll get it ironed out, to make sure
17 we know what we want.

18 MS. KINLEY: Since we won't be able to go out on the
19 boat at night, is what you're telling me?

20 MR. COLTIN: I don't there we are going to get there, so
21 -- we are going to have to wait and see.

22 MS. KINLEY: Oh, yeah. So we've decided on January 1,
23 2012 to January 31st, 2013, right?

24 MS. GILMER: Right.

25 MS. KINLEY: We've decided on the \$20 with the breakdown

1 that I mentioned.

2 MS. GILMER: Right.

3 MS. KINLEY: One thing that was brought up in the
4 afternoon session was online registration. You
5 know, that sounded really cool when it first came
6 up. On thinking about it, I don't necessarily
7 think that's the best way to go. I think that the
8 website -- LLR's website and SMT's website should
9 simply mention all of the locations that are
10 participating in it, the contact information for
11 those locations, the reasoning behind doing this,
12 the cost and in big, bold, dancing across the
13 screen -- I mean, it would be even cool, really, if
14 it was like one of those things that goes across
15 the bottom of your TV screen -- that "failure to
16 get fingerprinted and photographed will prohibit
17 you from renewing your license." I mean, I think
18 that has to be really out there. I think LLR needs
19 to do an email blast on a monthly basis. Did
20 someone say something?

21 MS. PHILLIPS: I did. I said I totally agree. And as
22 soon as the board or LLR, whoever, tells me that I
23 can start telling my licensees --

24 MS. KINLEY: Oh, we told you last time you could.

25 MS. PHILLIPS: Well, I know, but I didn't have the

1 specifics.

2 MS. KINLEY: Oh, okay, yeah. Yeah.

3 MS. PHILLIPS: Are the specifics that we talked about
4 today, the fee and when to do it, would that be in
5 compliance to go ahead and put that on there now?

6 MS. KINLEY: I would say so.

7 MS. PHILLIPS: Okay.

8 MS. KINLEY: I think another issue for Shawn to take
9 care of is to talk with IT here at LLR, to devise
10 the -- you know, how they talk about these
11 computers talking to each other. I don't know
12 nothing about that. But if they -- they need to
13 be able to talk so that when someone is
14 fingerprinted and in the system, that it's relayed
15 into our relay system, that they are eligible; that
16 they're in the system. So y'all will --

17 MR. COLTIN: Just so I understand, what you're saying
18 is, once we do capture somebody, it updates your
19 system at LLR to say "Okay. We did capture this
20 person."

21 MS. KINLEY: Correct.

22 MR. COLTIN: I envision, we have a SCORE file here. We
23 would have a file with the name and stuff, and LLR
24 would as well. Do they have a file -- does LLR
25 have a file -- and I'm not sure if you know, but

1 with candidates who are just enrolled in school?

2 MS. BUCHANAN: We manually have those right now. But he

3 can

4 -- we can hook Shawn up with Matt Faile.

5 MS. KINLEY: Okay. Dottie said that we manually enter

6 those into the system now.

7 MR. COLTIN: Oh, man, so this could streamline your

8 process too then; wouldn't it?

9 MS. KINLEY: Looks like. And if you could talk to Matt

10 who?

11 MS. BUCHANAN: Faile.

12 MS. KINLEY: Faile?

13 MS. BUCHANAN: F-A-I-L-E.

14 COURT REPORTER: What is it?

15 MS. KINLEY: F-A-I-L-E.

16 MS. BUCHANAN: If Shawn gives me a call, I can get him

17 Matt's number and everything.

18 MS. KINLEY: Okay. Shawn, do you have Dottie's

19 telephone number?

20 MR. COLTIN: No.

21 MS. KINLEY: Okay. It would be 803-896-0239. And she

22 can connect you to Matt in IT.

23 MS. BUCHANAN: And the people who --

24 MS. KINLEY: And the people who --

25 MS. BUCHANAN: -- are working on that stuff.

1 MS. KINLEY: -- so y'all can have a kumbaya with.

2 MR. COLTIN: So right now what we're saying is on our
3 plate is to get candidates into the LLR system.

4 MS. KINLEY: Yes.

5 MR. COLTIN: And create a web page for candidates to
6 pay.

7 MS. KINLEY: Uh-huh.

8 MR. COOK: Okay.

9 MS. HAWSEY: Rosanne.

10 MS. KINLEY: Yes.

11 MS. HAWSEY: They're asking, what about endorsement
12 applications, those folks, do they have to go to
13 one of those sites --

14 MS. KINLEY: They would have to go to one of those
15 sites.

16 MS. HAWSEY: -- to apply?

17 (Talking over one another.)

18 COURT REPORTER: Wait a minute. Three people are just
19 talking.

20 MS. KINLEY: Ciel's got to have --

21 COURT REPORTER: I didn't hear any of that.

22 MS. KINLEY: We can set -- SMT can set up a site
23 anywhere. Correct, Shawn?

24 MR. COLTIN: That's correct.

25 MS. KINLEY: You can set up a site here at LLR. Then we

1 could simply say is simply for endorsement
2 applicants.

3 MS. GILMER: Can I ask a question?

4 MS. KINLEY: Deloris, yes, you may ask a question.

5 Shawn, can we also, when we set up this site, some
6 people don't have a credit or debit card but they
7 do have a checking account, will they be able to
8 use their routing number and maybe their checking
9 account number?

10 MR. COLTIN: I don't -- it should be in the same --

11 MS. KINLEY: Can he check?

12 MR. COLTIN: But we've just never used that before. So
13 I do have to check with our IT guy on that as well.

14 MS. GILMER: Okay. And, you know, for payroll, you did
15 make it available for this person and that's why I
16 didn't do it.

17 MS. GILMER: No, no. That's fine.

18 MS. GILMER: Yeah.

19 COURT REPORTER: I need her to talk louder.

20 MS. KINLEY: Deloris, baby, you're going to have to talk
21 a little bit louder for Ciel to get you. I can
22 hear you, but Ciel is having a hard time. What she
23 was saying is that for people who don't have debit
24 or credit cards, if the system would be able to do
25 e-checks. And he said he would check into that to

1 update the system, see if they can incorporate
2 that. I'm sure they probably can.

3 MR. COLTIN: Well, I know we also had a candidate from
4 another state today for this same license that
5 didn't even have a checking account. So the only
6 option we have for those individuals would be to
7 send us a money order.

8 MS. GILMER: Right.

9 MR. COLTIN: But then we will process it on our side,
10 and they will get some sort of notification once
11 it's been processed.

12 MS. GILMER: Right. Or a confirmation number.

13 MR. COLTIN: Yeah.

14 MS. KINLEY: But we wouldn't want to necessarily put
15 that out there, right?

16 MR. COLTIN: Say that again, I'm sorry?

17 MS. KINLEY: We would not want to necessarily put that
18 option out there.

19 MR. COLTIN: No, no, no, no. But it would be for those
20 rare cases that don't have a credit card, debit
21 card or checking account.

22 MS. KINLEY: Right.

23 MS. THOMPSON: I don't know how they would be in
24 business, though.

25 MR. COLTIN: I don't know either.

1 MS. THOMPSON: Without at least one of those options.

2 MS. WILDER: Isn't there something called a money card
3 that you can go pay maybe \$50 and get a card,
4 something like a debit card?

5 MS. KINLEY: Shirley's asking, isn't there something --

6 MS. WILDER: I think I heard that.

7 MS. KINLEY: I'm sure there is. I'm sure there's
8 something that you can load a certain amount on it.

9 MS. WILDER: On a card, yeah.

10 MR. COLTIN: They can go to a Walgreens or a CVS or
11 Eckerds Drug --

12 MS. THOMPSON: One of those pre-paid credit cards?

13 MR. COLTIN: Yeah. And just buy a credit card. That
14 would work anywhere.

15 MS. KINLEY: So that would be your better solution.

16 MR. COLTIN: Right. That would be. That would be a
17 better solution.

18 MS. THOMPSON: Except they charge them -- I mean, you
19 can get them from the bank too, and I think your
20 bank charges lower fees. But if they don't have a
21 checking account, and blah, blah, blah, they may
22 not even have a bank that would do that. But I
23 think there's like a six -- anywhere from six to
24 eight dollar activation fee for those things.

25 MS. KINLEY: And then every time they use them, they

1 charge them a fee.

2 MS. THOMPSON: Uh-huh.

3 MS. KINLEY: It is not the economical way to do it,
4 but --

5 MS. THOMPSON: But it is an option.

6 MS. KINLEY: -- it is an option. You know, LLR has also
7 moved to no cash. So they got to come up with
8 something just to renew their license anyway, so,
9 you know, this is 2011, and --

10 MR. COLTIN: Well, I know for the gift cards I buy for
11 my daughters from the Walgreens here, all there is,
12 it's like a three percent fee. So if it's \$50,
13 they add three percent, which I think is a dollar,
14 maybe roughly a dollar or two dollars. And then
15 they're not charged every time they use it. It was
16 just like an application fee.

17 MS. KINLEY: Oh, okay. Well, then that's good. Did
18 someone join us just then?

19 MS. DEBENEDETTO: I have a question. What about those
20 people who are lapse and want to renew from another
21 state? Like say they're in North Carolina or
22 Georgia and they want to renew their license, but
23 they're not here. They can't renew then.

24 MS. KINLEY: Shawn, do you have -- they could go to
25 Ohio. Do you have other states that biometrics,

1 maybe not necessarily with cosmetology, but
2 biometrics if someone is no longer a resident of
3 South Carolina, but maintains a South Carolina
4 license, and they want to enter into the system?

5 MR. COLTIN: I think we'll just have to take that on a
6 case-by-case basis. Again, the difficulty would be
7 getting it to that specific, to the South Carolina
8 LLR cosmetology board's database.

9 MS. KINLEY: Okay. I see.

10 MR. COLTIN: I would just have to figure out how that
11 would work out. But I would say, there's got to be
12 some option. There's got to be -- again, this is
13 one of those things we'll just have to figure out,
14 but there's got to be an option to do. Even if we
15 get them to go to one of our test centers to get
16 put in.

17 MS. KINLEY: Roz, did you say something on that?

18 MS. BAILEY: There are going to be a couple of hundred
19 people out there in that particular situation. So
20 when the -- at the last meeting, there was a
21 suggestion that if the schools could use the smart
22 phone to do the fingerprint, that that might be an
23 option for individuals, if they're rolling, almost
24 like a scanned fingerprint of some type, for those
25 who are out of state.

1 MS. KINLEY: The individuals couldn't do it because they
2 would not have the software loaded into --

3 MS. BAILEY: Right.

4 MS. KINLEY: -- their smart phones. I would not be
5 opposed to allowing a school to implement software
6 into a smart phone for the --

7 MR. COLTIN: But you would want to be careful. The
8 whole purpose here is to make sure an unbiased
9 third party person --

10 MS. KINLEY: Exactly.

11 MR. COLTIN: -- is entering the data.

12 MS. KINLEY: Well, that's what I'm saying. All of those
13 type of things, I'm putting back onto you for your
14 advice and opinion because that's your field of
15 expertise, not ours.

16 MR. COLTIN: Yeah, that's fine. I know there's a couple
17 hundred people out there looking to see how it
18 works, and then we can see how to get them in.

19 MS. KINLEY: Okay. Here's a simple question: How does
20 the attorneys, how do nurses, I mean, at one point
21 in time -- this is the wheel being put into place.

22 MR. COLTIN: Right.

23 MS. KINLEY: And it's got to start somewhere. And --

24 MS. PHILLIPS: One of the things about that is that they
25 -- even if they're out of state or in whatever

1 situation, even with online classes, they would
2 still have to come home one time during a two year
3 period.

4 MS. KINLEY: Exactly. For their continuing education.

5 MS. PHILLIPS: But they would be into the second year if
6 they were planning on keeping that in compliance.

7 MS. KINLEY: And while we're on that subject, it just
8 hit me in the head too, military.

9 MS. PHILLIPS: That's what I was referring to.

10 MS. KINLEY: Yeah, military, we're going to have a
11 special exemption for people on a military base,
12 same as we do for the continuing ed and all those
13 other options. Of course, I imagine their
14 fingerprints are already in the system somewhere
15 out there. But I think, in my opinion, if they are
16 military, they're exempt from doing this until --
17 if they can't get home before renewal of March
18 2013.

19 MR. COLTIN: They should be provided extension, is what
20 you're saying.

21 MS. KINLEY: Exactly, yes.

22 MR. COLTIN: Okay. There are options. We can get the
23 individuals -- we've got test centers all over the
24 U.S. It would be a third-party, unbiased. So I'm
25 saying, there's options. I just want to be sure we

1 talk about them and understand what they are.

2 MS. KINLEY: Exactly. The other thing that I had
3 thought of is, is in my opinion, when these people
4 show up to a school or a con ed provider to get
5 into the system, I think there needs to be -- they
6 have to show up with their government-issued photo
7 I.D., their Social Security card and their
8 professional license.

9 MS. WILDER: Original. Not copy.

10 MS. KINLEY: The original, professional license. I
11 think at the registration site, they should copy
12 all of those credentials. They have the licensee
13 fill out an affidavit, which would include name,
14 address and the address that matches their I.D.
15 Their date of --

16 MR. COLTIN: Is somebody taking notes?

17 MS. KINLEY: Yes.

18 MR. COLTIN: The suggestion would be, yeah, you list on
19 the registration side, what exactly it is that they
20 need -- they are required to bring. And if you
21 want the candidate to sign an affidavit, again,
22 you're going to have candidates who are -- you're
23 going to ask con ed centers to become bookkeepers,
24 to a certain extent, if they're going to have to
25 keep this paperwork. So we have to figure out what

1 we're going to do with the paperwork. But one
2 suggestion, what I would say is, we put a template
3 right in the program that is the affidavit, and the
4 sites can print it off right there and then have
5 the candidate sign it. Now, what we do with that
6 after that, I guess would have to be discussed.

7 MS. KINLEY: Well, my suggestion was that they had to
8 submit it to LLR within 10, 20 or 30 days, whatever
9 we had -- whatever we --

10 MR. COLTIN: Another suggestion would be, would be to
11 have a pop-up that prior to getting their
12 fingerprints and stuff, you just have them attest
13 to it. And then it is an electric agreement. We
14 do it for our exams and a number of other big
15 organizations. Credit card companies and stuff do
16 it as well. So if we just have a box that says "I
17 attest to follow these terms and this, this and
18 this." Then it would be on their record that they
19 did attest to it, and then there's no paperwork
20 that has to follow anywhere. Just an idea.

21 MS. KINLEY: So I don't know. I don't know, Shawn. I'm
22 nervous about the ones that I know that are out
23 there to beat the system.

24 MR. COLTIN: That's fine. I just want to -- so you're
25 going to make the candidate responsible for

1 submitting it to LLR.

2 MS. KINLEY: No, no, no, no. Not the candidate; the
3 test site.

4 MR. COLTIN: Oh, the test site. Okay, I mean that's --

5 MS. KINLEY: Ms. Chesley, what are your feelings on
6 that, since you are planning on participating in
7 this?

8 MS. PHILLIPS: Because you know Ms. Anal, and I've got
9 every document that everybody's ever done and it's
10 filed in their files. I'm the lone candidate
11 there.

12 MS. KINLEY: But I'm thinking that they have a printer,
13 a copier, whatever, and a printer to print out the
14 affidavit that would have their name, address, date
15 of birth, Social Security Number. I also think it
16 would be wise for us to find out, Are you currently
17 employed? If yes, you have to supply the
18 employer's name and address. And the reasoning
19 behind that is if they have filled out this
20 information, they have provided us with a copy of
21 their license, their Social Security card and their
22 driver's license, then they hit the system and the
23 system pops up and says "this fingerprint is
24 already on file for John Doe, and you're telling me
25 this is Jane Smith."

1 So at that point, in my vision, the site would
2 simply say, "There's a glitch in the system. We're
3 going to take these documents and send it to LLR
4 for them to figure out who's who." I mean, doesn't
5 even have to tell them that. You know, because I
6 don't want to put a site into a precarious
7 situation. So if it pops up, this is not just who
8 you inputted the information as being. You know,
9 you say surely there's something. There's a glitch
10 in the system. I'm going to send this to LLR.
11 They'll be in contact with you. That way they go
12 away. We send it to the investigation department
13 here at LLR for them to decipher who is the real
14 candidate in the system.

15 MS. PHILLIPS: Sounds good.

16 MR. COLTIN: Yep.

17 MS. KINLEY: You agree, Shawn?

18 MR. COLTIN: Yeah, I mean, that's fine. I still think
19 whatever data you want after -- because I was
20 trying to streamline the process, because I know
21 there were a few at this school meeting that were a
22 little apprehensive about doing any of the
23 bookkeeping part or having to fill out the
24 information. Maybe when they -- I'm trying to
25 streamline the process.

1 MS. KINLEY: Yeah.

2 MR. COLTIN: I see a template maybe being on the web
3 page that the schools access. They put in all the
4 candidate data. And then they print this affidavit
5 that says -- it has all the information you're
6 requesting, but they've already typed it in. So
7 there's nobody writing anything else to make the
8 process longer. So they print it off and it says
9 on there "I agree that I've never worked with
10 anybody's licensed. I agree that this name is my
11 name. I agree that my fingerprints are being used
12 only for this name, work and industry. And that
13 all the other information is accurate." And then
14 they sign it. They give it to the school and then
15 the school sends it right off to LLR, correct?

16 MS. KINLEY: Yes.

17 MR. COLTIN: Okay. Then, yeah. No, I think that's
18 fine.

19 MS. THOMPSON: Are you talking about the schools
20 actually -- or I'm going to call it a provider
21 because in Chelsey's situations she going to a be
22 an association. That would mean that the provider
23 of these services would then take that information,
24 that they would be responsible for physically
25 mailing it? Or would it be a scanned, emailed type

1 document?

2 MS. KINLEY: I think they should mail -- you know, I
3 don't know. Y'all tell me.

4 MR. COLTIN: I'm all for the less paperwork. I know
5 that model is going to be -- I don't know about
6 LLR, but I do know -- to streamline some of the
7 processes that a manual entry for candidates who
8 have enrolled in school. So, I mean, maybe if
9 they're just receiving and filing these papers --

10 MS. KINLEY: Okay. Hold on, hold on, hold on. Maybe I
11 got ahead of myself. If they fill out the
12 affidavit online, that you were just speaking of,
13 Shawn.

14 MR. COLTIN: Right.

15 MS. KINLEY: They do an electronic signature to it.

16 MR. COLTIN: Right.

17 MS. KINLEY: And put their fingerprint in the system and
18 everything's cool. Those aren't the ones I'm
19 worried about. Those by rights don't even really
20 have to come to LLR, now that I'm thinking about it
21 out loud. I just want somebody to be able to cross
22 reference when --

23 (Off-the-record discussion.)

24 MS. KINLEY: So anyway, it's the ones that show up that
25 the fingerprint is already matching someone else in

1 the system. Somebody's got to be able to
2 physically pull A candidate and B candidate to
3 figure out who is the real person.

4 MR. COLTIN: I think that would be on our side. I think
5 -- again, I agree with the way you were going, that
6 you don't want the providers to be in that
7 confrontation.

8 MS. KINLEY: No, I don't want them to be --

9 MR. COLTIN: I think you say, "Okay." I think our
10 system can flag that. And, of course, it's going
11 to immediately tell them in a red pop-up box, so we
12 wouldn't want the candidates or license-holders
13 seeing the screen, because it will come up in a red
14 box that says "These fingerprints are already in
15 the system and associated with this individual."
16 So we wouldn't want the screen showing it to them.
17 That right there would be an immediate red flag.

18 You should already have the picture of the
19 candidate that just showed up and all the
20 information already typed in. I think the last
21 steps you want to do are the fingerprints and then
22 the -- or you take the photograph and then the last
23 thing you do is the fingerprints. And then we say
24 "Okay. Let's send this over to LLR." And then LLR
25 uses the information in the system to contact the

1 individual.

2 MS. KINLEY: If it red-flags.

3 MR. COLTIN: If it's already in the system.

4 MS. KINLEY: All right. Shirley has something to add.

5 MS. WILDER: Okay. When I get it now from USC, the CEU
6 classes, if anything on that application that comes
7 in here, if it doesn't match what's on our
8 database, it will kick it out. So when they do
9 that at USC and we don't have fingerprint -- for
10 them, can it be set up where it kick that out too
11 and say "No fingerprint" or something? Because it
12 will say "invalid" if the --

13 MS. KINLEY: Yeah. That's what we were saying, that
14 you'll have to get with Dottie and Matt to
15 establish something, that it will kick out when
16 they go to renew --

17 MS. WILDER: And we don't have a fingerprint --

18 MS. KINLEY: -- that their fingerprint is not in the
19 system. Yes.

20 MS. WILDER: Because if the license number is wrong now,
21 it kicks it out.

22 MS. KINLEY: Yeah, yeah. If their license number is
23 wrong --

24 MR. COLTIN: So just so y'all know, we're having a bad
25 storm. So if we lose power and the phones go out,

1 I'm not hanging up, okay?

2 MS. KINLEY: Yeah. A likely story, Shawn. That
3 hurricane's not coming now.

4 MR. COLTIN: That's right.

5 MS. KINLEY: Is that a precursor to later in the week?

6 MR. COLTIN: Maybe.

7 MS. PHILLIPS: I got to the hotel after it caught fire,
8 so you know.

9 MS. KINLEY: So if I'm understanding what we're saying
10 here, my idea -- so do they even have to show up at
11 the site with I.D.?

12 MR. COLTIN: Yeah. I think they need to bring their
13 I.D. just so the people, the providers know who the
14 person is.

15 MS. KINLEY: Right.

16 MR. COLTIN: I still think they need the three forms of
17 I.D. I don't see any -- why you wouldn't still
18 provide that. I do like having them attest
19 electronically.

20 MS. KINLEY: Right.

21 MR. COLTIN: You can follow the record forever and
22 there's no paperwork to send anywhere. We just
23 want to be sure it's clear what their attesting to.
24 Maybe we put it on the website, the registration
25 website as well, "You will be required to attest to

1 these five or six items when you go. And then we
2 show them again when they're at the provider's
3 office, "You do attest, these things are true."
4 They check the box and then they enter their
5 information.

6 MS. KINLEY: And the information would be their name,
7 their address, their DMV, their Social and their --

8 MR. COLTIN: Where they're going to work or where they
9 are currently working.

10 MS. KINLEY: Right. And their --

11 MR. COLTIN: Whatever you want, we would have --

12 MS. KINLEY: -- professional license number.

13 MR. COLTIN: -- on that first entry screen.

14 MS. KINLEY: Okay. All right. So that does cut down on
15 all the paperwork then.

16 MR. COLTIN: And then we capture the photograph. And
17 then the last thing we capture is the fingerprints.
18 And I know right after that school meeting, I
19 talked -- I said we need to discuss some of the
20 logistics. And this is one of my main concerns
21 because even in test centers, this is one of the
22 things we struggle with most. People are more apt
23 to do the flight than fight. Or you may get some
24 on the other side. I think we've taken it out of
25 the providers -- my suggestion would be to take it

1 out of the provider's hands altogether. It says
2 "these are the fingerprints for these two
3 individuals." Now it's an LLR investigator's
4 problem.

5 MS. KINLEY: Okay. Let me ask you this, Shawn. Does it
6 even have to pop up on the screen that it's
7 invalid, since we're just gathering it for
8 information?

9 MR. COLTIN: It doesn't have to. And then we say if it
10 is invalid, we need to send somebody an email.
11 Maybe DeLeon or --

12 MS. KINLEY: It's DeLeon.

13 MR. COLTIN: -- maybe who the lead investigator is over
14 there, gets an email. Look, if it comes up as
15 this, this person automatically gets an email and
16 this person automatically gets an email.

17 MS. KINLEY: Right.

18 MR. COLTIN: You know what I mean? And the school
19 doesn't know anything, or the provider, I
20 apologize.

21 MS. KINLEY: Yeah, I think that would be a better
22 option. And it's DeLeon.

23 MR. COLTIN: DeLeon. Thank you. Oh, I'm sorry.

24 MS. KINLEY: Hey, I get it all the time.

25 MR. COLTIN: My Tennessee slang.

1 MS. KINLEY: So okay, I think I like that idea better,
2 that it doesn't pop up on the screens and they
3 don't know that it triggered the system, the
4 provider doesn't know it triggered the system,
5 everybody goes on its merry way.

6 MR. COLTIN: And that will actually give a lot of the
7 cheaters a false sense of security.

8 MS. KINLEY: It absolutely will.

9 MR. COLTIN: Because a lot of these systems, again, do
10 not do the robust checks ours does. It will not
11 compare fingerprints to everybody in the database.
12 So you will have more people show up who think,
13 "Awe good. They're really not doing a complete
14 check," you know?

15 MS. KINLEY: Yeah. They're like "beat that one again."

16 MR. COLTIN: It works to your benefit.

17 MS. KINLEY: Okay. Yeah, I like that. So we're all
18 good with that. We've got the fees established,
19 the time line established, the launch date,
20 flagging the system. Terms on when money is sent
21 to providers, I would say 30 days, Shawn?

22 MR. COLTIN: Yeah. Well, what we usually do with all
23 our accounts like this, such is this, we do it
24 within 30 days for the end of the month. We send
25 them one check for the month.

1 MS. KINLEY: Right. Right. Yeah, that's what I meant.

2 I'm sorry. Yes, that's what I meant.

3 MR. COLTIN: Yeah, just so it's clear. So at the end of
4 July, July 30th, by August 31st, we should have a
5 check for everybody that they captured in the month
6 of July.

7 MS. KINLEY: That was what I was envisioning also.

8 MR. COLTIN: Cool, okay.

9 MS. KINLEY: Yeah. All right. Does anybody -- what
10 else? Anyone else have any questions in LLR?

11 MS. PHILLIPS: This is Chesley. I'm good.

12 MS. GILMER: I'm good.

13 MS. THOMPSON: I'm sorry. Is somebody talking to me?

14 MS. GILMER: Melanie, are you good?

15 MS. KINLEY: Can't hear you, Deloris.

16 MS. THOMPSON: I started to say, I can't understand who
17 that is.

18 MS. KINLEY: Deloris, can't hear you.

19 MS. GILMER: We've got a bad --

20 MS. THOMPSON: I still can't hear you, honey.

21 MS. GILMER: I said everybody through?

22 MR. COLTIN: Hey, we heard that.

23 MS. KINLEY: Anything else?

24 MR. COLTIN: I think we're good.

25 MS. KINLEY: Everybody good?

1 MS. PHILLIPS: Before we do leave, if there are any
2 questions that did pop up later with a situation,
3 should we refer them to Rosanne? Shawn? What
4 should we do?

5 MR. COLTIN: Just on my side, if all my questions can
6 come through Rosanne or --

7 MS. KINLEY: Just forward them to me, Chesley.

8 MS. PHILLIPS: Okay.

9 MR. COLTIN: Or Melanie, either one. Just so I know I
10 can answer to one person and everybody's going to
11 get the response.

12 MS. PHILLIPS: Right. I just want to make sure, because
13 I'm sure something will come up.

14 MS. KINLEY: Sure. I'm sure there is too. Okay. Then
15 if there's nothing else, I'll entertain a motion to
16 adjourn.

17 MS. THOMPSON: So moved.

18 MS. GILMER: I second it.

19 MS. KINLEY: I have a motion and a second for
20 adjournment. Any further discussion? Hearing
21 none, all those in favor, motion carries. Meeting
22 adjourned.

23 *****

24 (Whereupon, the meeting/hearing was
25 adjourned at 12:43 p.m.)

1 CERTIFICATE OF REPORTER

2 I, CECELIA P. ENGLERT, COURT REPORTER AND NOTARY
3 PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE,
4 HEREBY CERTIFY THAT I RECORDED AND TRANSCRIBED THE SOUTH
5 CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION,
6 COSMETOLOGY BOARD MEETING/HEARING ON THE 22ND DAY OF
7 AUGUST, 2011, AND THAT THE FOREGOING 79 PAGES CONSTITUTE
8 A TRUE AND CORRECT TRANSCRIPTION OF THE SAID HEARINGS.

9 I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR
10 COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE
11 PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY
12 INTERESTED IN SAID CAUSE.

13 I FURTHER CERTIFY THAT THE ORIGINAL OF SAID
14 TRANSCRIPT WAS THEREAFTER SEALED BY ME AND DELIVERED TO
15 LISA HAWSEY, SCLLR - COSMETOLOGY BOARD, KINGSTREE
16 BUILDING, 110 CENTERVIEW DRIVE, COLUMBIA, SOUTH
17 CAROLINA, WHO WILL RETAIN THIS SEALED ORIGINAL
18 TRANSCRIPT.

19 IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL
20 THIS 20TH DAY OF SEPTEMBER, 2011.

21

22 _____
CECELIA P. ENGLERT, COURT REPORTER

23 MY COMMISSION EXPIRES JUNE 03, 2018