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NEVADA STATE BARBER'S HEALTH and SANITATION BOARD



Minutes – January 8, 2023 – PUBLIC HEARING

President Toby Chavez called the meeting to order on Sunday, January 8, 2023, the time was 1:02 P.M. at the Masterpiece Barber School, located at 3510 East Bonanza Road, Suite 150, Las Vegas, Nevada.

Teleconference was set up for Mr. Bryon since he could not be present.

Ms. Maestas checked in to see if Mr. Byron was on the phone. He was not present.

Mr. Toby Chavez, Mr. Azzam, Mr. Foley and Antinette Maestas, DAG Chricy Harris was present.

Public Comment

Ms. Gwen Braimoh stated she wanted to know why the 250 hour law was not on the agenda. She was told this is a public hearing only for the NAC changes and she was suppose to petition the Board to be put on the next meeting agenda and she did not. One of her instructors did petition the Board so it will be on the agenda for the next meeting.

Mr. Azzam made a motion to accept the minutes from the October 24, 2022 Disciplinary hearing. Mr. Chavez seconded the motion. Motion Passed.

After the Board had time to review the documents.

Ms. Maestas read each change.

Sec. 2. *In addition to the requirements set forth in NRS 643.173, an applicant for a license to operate a barber school must:* For discussion and possible action.

1. *Submit to the Board:*

(a) *An independent credit report from a consumer reporting agency defined in section 603(f) of the Fair Credit Reporting Act, 15 U.S.C. § 1681a(f), for the applicant, if the applicant*

is a natural person, or for each member, partner or officer of the applicant, if the applicant is a business entity.

(b) If the applicant is a business entity which has been in operation for at least 2 years immediately preceding the date of application, audited financial statements prepared by an independent certified public accountant for the 2 years immediately preceding the date of application.

(c) If the applicant is a natural person or a business entity which has not been in operation for at least 2 years immediately preceding the date of application, proof sufficient to the Board that the applicant is financially capable of operating a barber school.

2. File with the Board a surety bond in an amount not less than \$200,000 made payable to the Board, executed by the applicant as principal with a corporation authorized to transact surety business in this State as surety. The bond must be continuous in form and conditioned that the operator conduct the barber school in compliance with the requirements of this chapter and chapter 643 of NRS.

This NAC was added to specify what the Board had wanted for other documents. This is solely for the protection of the Student.

Public Comment – George Mena states what did 2. Actually mean. It was stated that if the school were to close the students would have protection.

There was no board discussion.

Mr. Foley made a motion to approve new language to NAC Sec. 2. Mr. Azzam seconded the motion. Motion passed.

Sec. 3. 1. As a prerequisite for each renewal of an instructor's license, a licensee must complete, during the 12 months immediately preceding the renewal, at least 16 hours of continuing education approved by the Board. At least 2 of the 16 hours must include instruction in teaching methodologies.

2. The continuing education required pursuant to this section must be in the form of seminars, courses or other training approved by the Board pursuant to section 4 of this regulation and must relate to the barbering industry or the teaching and practice of barbering. For discussion and possible action.

This was added to specify the types of continuing education would be accepted for continuing education classes.

Public Comment – Ms. Gwen Braimoh asked when teaching methodologies. Do you have a section for approving classes? She was told it was in section 4.

Mr. George Mena asked if he had to do the continuing education because he just got licensed. DAG Harris stated she was not comfortable answering questions during public comment. Ms. Maestas asked Mr. Mena to send her an email and she would get back to him on the question.

Mr. Foley made a motion to accept the language in Sec 3 as read. Mr. Azzam seconded the motion. Motion passed.

Sec. 4. 1. A person who wishes to obtain approval for a seminar, course or other training to satisfy the requirements for continuing education pursuant to section 3 of this regulation must submit to the Board:

(a) An application on a form prescribed by the Board; and

(b) All material relating to the seminar, course or training, including, without limitation, any written material provided to a licensee attending the seminar, course or training.

2. The Board will review the application submitted pursuant to subsection 1 to determine whether the seminar, course or training may be used to meet the requirements for continuing education set forth in section 3 of this regulation. If the Board determines that the seminar, course or training may be used to meet those requirements, the Board will approve the seminar, course or

training and determine the number of hours of continuing education that a licensee may be awarded for the successful completion of the seminar, course or training. For discussion and possible action.

This was added to give directions for being approved for seminar classes to qualify for continuing education.

Public Comment – Ms. Gwen Braimoh asked if the Secretary/Treasurer could approve these courses or does it need to go before the board. DAG Harris stated that in this language it would need board action.

Mr. Foley made a motion to accept the language for section 4. Mr. Azzam seconded the motion. Motion passed.

Sec. 5. NAC 643.020 is hereby amended to read as follows:

643.020 1. Except as otherwise provided in subsection 2, an applicant for examination to become a licensed barber must:

(a) Have completed a successful period of apprenticeship in this state or have at least 5 years of experience gained within the 10 years immediately preceding the date of application, as a licensed barber in another state and a current license from the other state.

(b) Have completed the 10th grade in school or its equivalent.

(c) Be a citizen of the United States or lawfully entitled to live and work in the United States.

2. A licensed cosmetologist who has completed 400 hours of special training in a barber school approved by the Board may apply for examination to become a licensed barber. *If, at the time the licensed cosmetologist submits an application for examination to become a license barber, more than 12 months have elapsed since the applicant completed the 400 hours of special training, the applicant must show proof of successful completion of a 250-hour refresher course completed within the 12 months immediately preceding the application for examination in a barber school approved by the Board.*

3 . If the applicant has ever been convicted of a felony, he or she must appear before the Board for a hearing pursuant to NAC 643.010. For discussion and possible action.

This was added to have a cosmetologist that completes the crossover program to take and successfully pass the examination. If too much time lapse, there are higher chances of them failing the examination.

Public Comment – Mr. George Mena asked why a felon could not do this process by letter. He states that there are different felonies. DAG Harris states that this has to be done in a public setting. This explains a lot about his/her character. DAG Harris also states that with this Board as long as individuals are transparent she has not seen a problem with this board. They have been more than fair with the individuals.

Mr. Marcus Allen stated that a felon is a felon regardless of the crime. Mr. Allen states that the NRS does not mention level of felonies it only mentions felony.

Ms. Gwen Braimoh states that on some board the Executive Director makes the decisions on these felonies.

Mr. Foley made a motion to accept Section 5 as read. Mr. Azzam seconded the motion. Motion Passed.

Sec. 6. NAC 643.025 is hereby amended to read as follows:

643.025 1. The Board may issue a license by endorsement to an applicant who:

- (a) Holds a corresponding, valid and unrestricted license as a barber in the District of Columbia or any state or territory of the United States;
- (b) Possesses qualifications that are substantially similar to the qualifications required for the issuance of a license to practice as a barber in this State; and
- (c) Attests that he or she meets the requirements prescribed in paragraphs (a) to ~~(e)~~ (d),

inclusive, of subsection 2 of NRS 622.530.

2. To apply for a license by endorsement as a barber, an applicant must submit with his or her application:

(a) A copy of the current, valid and unrestricted license from the District of Columbia, state or territory of the United States;

(b) The attestation required pursuant to subsection 1;

(c) A copy of his or her high school diploma or general equivalency diploma;

(d) A complete set of fingerprints and written permission authorizing the Board to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report or proof that the applicant has previously passed a comparable criminal background check;

(e) The statement required pursuant to NRS 425.520;

(f) Proof satisfactory to the Board that the applicant:

(1) Has achieved a passing score on a nationally recognized, nationally accredited or nationally certified examination or another examination approved by the Board;

(2) Has completed the requirements of an appropriate school of barbering or other program of study for barbers approved by the Board;

(3) Has practiced as a licensed barber for a period of 5 years preceding the date the applicant submits the application for licensure by endorsement to the Board; and

(4) Possesses a sufficient degree of competency in barbering, which must include, without limitation, two affidavits from individuals who *are or were owners or managers of a barbershop and who* have previously worked with the applicant in his or her position as a licensed barber;

- (g) A certificate signed by a licensed physician certifying that the applicant is free from tuberculosis and other communicable diseases;
 - (h) An affidavit stating that the information contained in the application and any accompanying material is true and complete; and
 - (i) Any other information required by the Board.
3. Upon receiving an application for licensure by endorsement as a barber, the Board will comply with the requirements of subsection 4 of NRS 622.530. For discussion and possible action.

The reason for this change was to have the owner or manager sign the affidavit instead of anyone. The owner or manager would know best.

Public Comment – No public comment.

Mr. Azzam made a motion to accept section 6 as read. Mr. Foley seconded the motion. Motion Passed

Mr. Byron checked into the meeting at 1:43 PM

Sec. 7. NAC 643.240 is hereby amended to read as follows:

643.240 ~~{1.}~~ Each agreement for the leasing of a barber's chair by an apprentice must be:

~~{a)}~~ 1. In writing; *and*

~~{b)}~~ 2. Signed by the licensed barber who will control and supervise the apprentice and by the apprentice . ~~}; and~~

~~—(c) Submitted to the Board for its approval.~~

~~—2. An apprentice may work under an agreement which has been submitted to the Board before the Board approves it, but must cease to work under the agreement if the Board disapproves it.]~~ For discussion and possible action.

Public Comment – no public comment

Mr. Foley made a motion to accept section 7 as written. Mr. Byron seconded the motion. Motion Passed.

Sec. 8. NAC 643.450 is hereby amended to read as follows:

643.450 An examination for an instructor's license will ~~{be given not more than twice a year and will}~~ consist of written questions pertaining to all phases of the science of barbering, the management of a barbershop, ethics, salesmanship, applicable state laws and regulations, and any other questions the Board may deem required of instructors. Applicants will also be required to pass

questions on teaching in the classroom and oral practical instruction on any or all phases of practical barbering services which the Board may prescribe. For discussion and possible action.

The reason for the deletion in this NAC was to not limit the number of Instructor Exams given every year.

Public Comment – Ms. Gwen Braimoh asked if this means that the Instructors exam will be given more than twice a year.

Mr. Byron asked if this meant the practical portion would be eliminated. Mr. Foley stated NO it only means the board is not limited to how many times the exam can be given in a year.

Mr. Azzam made a motion to accept section 8 as read, Mr. Foley seconded the motion. Motion Passed.

Sec. 9. NAC 643.660 is hereby amended to read as follows:

643.660 1. Except as otherwise provided in NAC 643.740, each student must receive 1,500 hours of instruction.

2. ~~Of~~ *Except as otherwise provided in subsection 3, of* the 1,500 hours of instruction

required by this section, 1,300 hours must be practical work on a patron in a barber's chair and must include at least:

- (a) Seven hundred haircuts;
- (b) One hundred shaves;
- (c) Seventy-five shampoos;
- (d) Fifty scalp treatments;
- (e) Fifty facials;
- (f) Fifty tonic applications;
- (g) Fifteen hair colorings;

- (h) Fifteen hair straightenings;
- (i) Fifty stylings;
- (j) Fifteen hairpiece fittings; and
- (k) Any other practical instruction which the Board may prescribe.

3. ~~{The remaining}~~ *Ten percent or less of the required number of each procedure specified*

in paragraphs (a) to (j), inclusive, of subsection 2 may be performed on a mannequin.

4. *Of the 1,500 hours of instruction required by this section, 200 hours* ~~{of instruction}~~

must consist of theory and work in the classroom pertaining to the science of barbering, the management of a barbershop, ethics, salesmanship, applicable state laws and regulations, and any other theoretical instruction which the Board may prescribe.

~~{4.}~~ 5. The 1,500 hours of instruction must be completed within 1 year after the first date of enrollment. For discussion and possible action.

The reason this was changed was to make it easier on the students when there were no live patrons at the school to work on.

Public Comment – There was no public comment.

Mr. Foley made a motion to accept section 9 as read. Mr. Byron seconded the motion. Motion passed.

Sec. 10. NAC 643.740 is hereby amended to read as follows:

643.740 1. The operator of a barber school may offer a short course, lasting at least 250 hours, of which 225 hours must be practical instruction and 25 hours of instruction in the subjects listed in subsection ~~{3}~~ 4 of NAC 643.660.

2. The 225-hour practical instruction offered as part of a short course must include at least:

- (a) One hundred and fifty haircuts;
- (b) Ten shaves;
- (c) Five scalp treatments;
- (d) Five facials;
- (e) Ten shampoos;
- (f) Five tonic applications;
- (g) Two hair colorings;
- (h) Two hair straightenings;
- (i) Ten hair stylings;
- (j) One hairpiece fitting; and
- (k) Any other instruction which the Board may prescribe.

For discussion and possible action.

The reason this was changed was to make it easier on the students when there were no live patrons at the school to work on.

Public Comment – There was no public comment on this.

Mr. Foley made a motion to accept section 10 as read. Mr. Azzam seconded the motion. Motion Passed.

Sec. 11. NAC 643.780 is hereby amended to read as follows:

643.780 1. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NRS 643.140 may be fined:

- (a) For the first offense in any licensing period, an amount not to exceed \$80; and
- (b) For the second offense in any licensing period, an amount not to exceed \$160.

↪ For the third offense, the barber will be brought before the Board for the revocation of his or her license.

2. Any person licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NRS 643.150 may be fined:

- (a) For the first offense in any licensing period, an amount not to exceed \$30;
- (b) For the second offense in any licensing period, an amount not to exceed \$100; and
- (c) For the third offense in any licensing period, an amount not to exceed \$500.

3. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of paragraph (e) of subsection 1 of NRS 643.185 may be fined:

- (a) For the first offense in any licensing period, an amount not to exceed \$250;
- (b) For the second offense in any licensing period, an amount not to exceed \$500; and
- (c) For the third offense in any licensing period, an amount not to exceed \$1,000.

~~4. Any [person licensed pursuant to chapter 643 of NRS and found to be in violation of any provision of NRS 643.190 may be fined:~~

- ~~(a) For the first offense in any licensing period, an amount not to exceed \$250;~~
- ~~(b) For the second offense in any licensing period, an amount not to exceed \$500; and~~
- ~~(c) For the third offense in any licensing period, an amount not to exceed \$1,000.~~

~~5. Any] barber licensed pursuant to chapter 643 of NRS and found to be in violation of any~~

provision of NRS 643.200 may be fined:

- (a) For the first offense in any licensing period, an amount not to exceed \$100;
- (b) For the second offense in any licensing period, an amount not to exceed \$250; and
- (c) For the third offense in any licensing period, an amount not to exceed \$500.

~~{6.}~~ 5. Any barber licensed pursuant to chapter 643 of NRS and found to be in violation of

any provision of NAC 643.320 to 643.415, inclusive, may be fined:

For the first offense in any licensing period, an amount not to exceed \$75;

- (a) For the second offense in any licensing period, an amount not to exceed \$150; and
- (b) For the third offense in any licensing period, an amount not to exceed \$300.

~~{7.}~~ 6. Each violation discovered upon inspection constitutes a separate count for the purposes of imposing the fines set forth in this section. For Discussion and possible action.

The reason for this change was to be consistent with NRS 643.190. LCB decided to take this out of the NAC since it was stated in NRS 643.190.

Public comment – Ms. Gwen asked if these were new fines. It was explained to her that these have been there all along.

Mr. Foley made a motion to accept section 11 as read. Mr. Azzam seconded the motion. Motion passed.

Public Comment

Mr. George Mena states that he is disappointed that the changes to go back to school for the 250 hours was not on the agenda. He states that at the last meeting he attended one of his students was called From NBC bullying him on why he is trying to make law changes.


Mr. Allen spoke and stated that the Board cannot change NRS's in a meeting they can change NAC's.

Ms. Gwen Braimoh stated that they are on the agenda for the next meeting and she is good with that.

Mr. Foley stated to Mr. Mena that the board is not ignoring this matter but this meeting is strictly for the NAC changes.

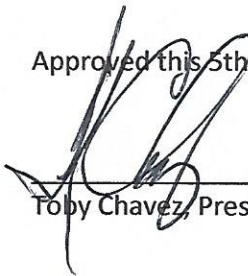
Mr. Foley made a motion to adjourn the meeting, Mr. Azzam seconded and all was in favor. The time was 2:05 P.M.

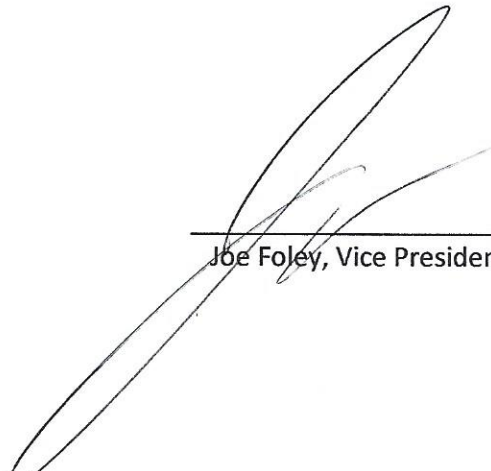
There being no further business before the Board the meeting was adjourned.

Submitted by: 

Antinette Maestas, Secretary/Treasurer

Approved this 5th day of February, 2023, by:


Toby Chavez, President


Joe Foley, Vice President


Ihsan Azzam, Health Officer


Royal Byron, Board Member