



**Oregon Health Licensing Agency  
Board of Cosmetology  
Product Safety/Public Protection Committee Meeting**

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Date: June 11, 2009

Committee Members: Mike Snook (not present)  
Herb Hirst  
Debora Masten

Staff  
Trampus Schuck, Board Specialist  
Sinnamon Harris, Board Specialist  
Samantha Patnode, Policy Analyst  
Kraig Bohot, Public Information Officer  
Tim Molloy, Regulatory Operations Manager  
Cindy Forest, HR Manager

Public Attendees: Heidi Zuniga  
Tammy Kennedy  
Ginger Martin  
Nichole Brown  
Cathy McKern  
Andrew Parker  
Kathy Cooney  
Nancy Sellers, by telephone

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The Product Safety/Public Protection Committee met June 11, 2009, at 9:00 am at the Oregon Health Licensing Agency (OHLA), Rhoades Conference Room, 700 Summer Street NE, Salem, Oregon. The purpose of the meeting was to facilitate fact finding regarding cosmetology schools within a prison setting and preauthorization of incarcerated students based on an initial fitness-to-practice determination.

Debora Masten opened the meeting and provided opportunity for public comment. Discussion focused on OHLA and the Board of Parole & Post-Prison Supervision and which agency is responsible for determining fitness to practice.

OHLA staff agreed to draft a position statement based on the following points:

- OHLA has statutory and administrative rule authority to deny and/or condition an individual's authorization to practice. OHLA does not automatically deny any applicant or current authorization-to-practice holder an authorization to practice based on a record of criminal or civil action taken against the individual.
- The Board of Parole & Post-Prison Supervision has knowledge and expertise in establishing and overseeing the adjudication of an individual's conditions of probation and parole. OHLA looks to the Board of Parole & Post-Prison Supervision for guidance on these conditions as they may relate to an individual's fitness to practice on the public with "care and safety."
- Specifically for individuals planning to enroll in prison educational programs, OHLA, in collaboration with the Department of Corrections, will seek guidance from the Board of Parole prior to the individual's enrollment to determine fitness to practice.
- OHLA, in collaboration with the Department of Corrections, will request a written "pre-authorization" related to fitness to practice from the Board of Parole for individuals whom the Department of Corrections has pre-screened for enrollment in the prison education program.

- The Department of Corrections may consult with OHLA and the Board of Parole & Post-Prison Supervision to determine which of the pre-screened candidates for the prison education program would require a fitness-to-practice preauthorization.
- OHLA will flag incarcerated authorization to practice holders and may review the authorization-to-practice holder's record upon release from prison and upon license renewal if the individual is still on parole or probation to determine if any circumstances post-preauthorization may affect the individual's fitness to practice.

Staff stated the agency would craft a position statement and work with Department of Corrections and Board of Parole for accuracy and consistency. The position statement will be reviewed at the November 2, 2009 Board of Cosmetology meeting.

Prepared by: Sinnamon Harris, Board Specialist