

**Department of Financial and Professional Regulation  
Division of Professional Regulation  
Barber, Cosmetology, Esthetics, and Nail Technology Board**

Meeting Date: July 20, 2009  
Meeting Convened: 10:30 a.m.  
Meeting Adjourned: 12:57 p.m.  
Meeting Location: Chicago office, Room 171A

Members Present: James, J. Sampognaro, Chairman  
Blanche Parker, Vice-Chairman  
Leroy Cain, Member  
Lela Frances Roberts, Member  
Patrizia B. Trackman, Member  
Wanda S. Zachary, Member

Members Absent: Nancy Cordray, Member  
Gail Lorenzini, Member  
Joan C. Seil, Member

Staff Present: Mark Thompson, DPR Legal Counsel  
Christ Balich, Legal Affairs  
Todd Robertson, DPR Board Liaison

Guests Present: Carl Costanzo, Eric Alexander University of Cosmetology  
Johannes Burkert, Eric Alexander University of Cosmetology  
Six (6) cosmetology students, Eric Alexander University of Cosmetology  
Joseph Barsic, Success Schools LLC  
Nancy Barsic, Success Schools LLC  
Jerry Gardner, Elite Continuing Education

Call to Order: Chair called the meeting to order at 10:30 a.m.

Roll Call: Mr. Sampognaro: Present  
Ms. Parker: Present  
Mr. Cain: Present  
Ms. Roberts: Present  
Ms. Zachary: Present  
  
Ms. Trackman arrived at 10:42 a.m.

Board Minutes: Board discussed 4/20/09 open minutes for the purpose of approval.  
  
Motion was made, seconded (Cain/Roberts) to approve 4/20/09 open minutes as written.

Closed Session: Motion was made, seconded (Roberts/Parker) to close the session pursuant to Section 2(c)(15) of the Open Meetings Act.

*Roll Call*

Mr. Sampognaro: Present  
Ms. Parker: Present  
Mr. Cain: Present  
Ms. Roberts: Present  
Ms. Zachary: Present

Motion carried. Session closed at 10:40 a.m.

*Deliberation*

Lisa D. Ragona	Case No. 200806934
Dana Maurchie	Case No. 200611931
Iva Kovatch	Case No. 200807530
Jonathan Washington	Case No. 200703805
Lonnell Poole, Jr.	Case No. 200808722
Frederick Green	Case No. 200405349
Sabr Abdullah	Case No. 200407534

*Closed Minutes*

Motion was made, seconded (Zachary/Roberts) to approve 4/20/09 closed minutes as written. Motion carried.

Open Session: The session opened by voice vote at 11:13 a.m.

Break: There was a break from 11:13 a.m. to 11:17 a.m.

Recommendation: Board made recommendations for the following:

*Lisa D. Ragona* Case No. 200806934

Motion was made, seconded (Trackman/Roberts) to recommend to the Director to adopt the ALJ Report and Recommendation. Motion carried.

*Dana Maurchie* Case No. 200611931

Motion was made, seconded (Roberts/Cain) to recommend to the Director that cosmetologist license 011-276711 be Indefinitely Suspended. Motion carried.

*Iva Kovatch* Case No. 200807530

Motion was made, seconded (Zachary/Roberts) to recommend to the Director that cosmetologist license 011-281138 be Revoked. Motion carried.

Recommendation: Board made recommendations for the following cases:

*Jonathan Washington Case No. 200703805*

Motion was made, seconded (Trackman/Zachary) to recommend to the Director to adopt the ALJ Report and to recommend that cosmetologist license 011-278361 be Indefinitely Suspended. Motion carried.

*Lonnell Poole, Jr. Case No. 200808722*

Motion was made, seconded (Parker/Cain) to recommend to the Director to Adopt the ALJ Report and Recommendation. Motion carried.

*Frederick Green Case No. 200405349*

Motion was made, seconded (Trackman/Roberts) to recommend to the Director that cosmetologist license 011-271319 be Indefinitely Suspended. Motion carried.

*Sabr Abdullah Case No. 200407534*

Motion was made, seconded (Roberts/Cain) to recommend to the Director that barber license 006-062720 be Indefinitely Suspended. Motion carried. 011-281838 be Revoked. Motion carried.

Discussion: *“Fish Pedicure” or “Fish Therapy”*

Mr. Thompson stated the Department’s position regarding this matter. Currently there is a statement posted on the Division’s website at [www.idfpr.com](http://www.idfpr.com).

Board members discussed the merits and potential concerns about this practice.

Mr. Thompson asked Board members if the Board would be in favor of Fish Pedicures or Fish Therapy if the Act allowed this practice. A majority of Board members were opposed.

Motion was made, seconded (Trackman/Parker) to state that the Board is opposed to the practice of “Fish Pedicures” or “Fish Therapy” and that the Board shall cease discussion regarding this matter. Motion carried.

*(225 ILCS 60/) The Medical Practice Act of 1987  
Section 1285.336 Use of Lasers*

Mr. Thompson stated that the Rules for the Administration of the Medical Practice Act were recently amended to add a Section about use of lasers.

Mr. Thompson stated that procedures involving a laser classified by the FDA as a medical device must be performed by a licensed physician. The physician must examine the patient and determine an appropriate course of treatment before any laser procedures are performed. The physician may

delegate the performance of laser procedures to a person who is functioning as an assistant to the licensed physician.

NOTE- An individual may not hold himself or herself out as a cosmetologist or esthetician while performing a service delegated by a licensed physician. An individual may not indicate in any manner that a service delegated by a licensed physician is part of the practice of cosmetology or esthetics.

NOTE- There may be laser devices available for purchase by a licensed cosmetologist or licensed esthetician, which the FDA does not classify as a medical device. A licensed cosmetologist or licensed esthetician may use such devices as set forth in (225 ILCS 410/) The Barber, Cosmetology, Esthetics and Nail Technology Act of 1985.

The Act and Administrative Rules are available on the Division's website at [www.idfpr.com](http://www.idfpr.com).

#### *Rules Dialogue*

Mr. Thompson stated that the Board may consider and recommend Rules language for areas they find need added or revised in current Rules. Mr. Thompson noted that some Rules language may be needed for salons or shops registered under the B-CENT Act.

Board members discussed adding Rules language to define a minimum curriculum for refresher courses. Mr. Costanzo and Mr. Burkert provided a sample copy of the curriculum for refresher courses offered by Eric Alexander University of Cosmetology.

Board members discussed revising Rules language for continuing education sponsor approval.

Board members who wish to provide written suggestions regarding Rules language will submit the information in writing to Mr. Robertson.

Board Review: *Continuing Education Sponsor*

Board recommended that (1) application be deferred (Action Sheet 092227).

Board recommended that (4) applications be approved (Action Sheets 092228-092231).

Signatures: Board affixed their signatures to Action Sheets 092227-092231.

Adjournment: Meeting adjourned at 12:27 p.m.