



## NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS

Pinehurst Building, Suite 60, 2 Centerview Drive, Greensboro, NC 27407

Phone: 336 856-1010 E-mail: [ncbeexam@att.net](mailto:ncbeexam@att.net)

### Minutes

### “Special Called” Meeting

August 28, 2011

1:00 pm

**Board members in attendance:** Dr. Gilly Munavalli, Cheryl Delaney, Margaret Wingate, and Dana Combopiano (via conference call).

**Others present:** Susan Magas, Dorenda Stilwell, Alice Saintsing, Cynthia White, and Myrtle Hamrick (via conference call).

Dr. Munavalli opened the meeting and read the Ethics Awareness and Conflict of Interest Reminder. No conflicts were acknowledged. Dr. Munavalli then called upon outgoing Treasurer, Margaret Wingate to conduct the meeting per the agenda which was distributed.

Minutes for the August 7, 2011 called meeting were distributed and approved on a motion by Delaney, which was seconded by Dr. Munavalli.

**TREASURER’S REPORT:** Wingate reported that OSBM is projecting a deficit for the next fiscal year which will result in our fund balance being tapped to cover the shortfall. She reminded the Board that the annual report to the Oversight Committee is due October 31, 2011. The Board’s accountant, Barre Burks, has already been contacted to proceed with the compilation so that we may complete the financial portion of this reporting requirement. Margaret will sign the engagement letter which sets the contract between the Board and the CPA. On a motion from Dr. Munavalli seconded by Delaney, the Treasurer’s Report was accepted.

**EDUCATION COORDINATOR REPORT:** Delaney reported on two unlicensed practitioners which require follow up:

1. Janet Hensley has not paid the required 2011 inspection fee or provided satisfactory CEU documentation and Renewal Form. The Board’s last contact with her was in February to outline the deficiencies. There has been no further contact to or from this licensee.
2. Yolanda McFadden, a former licensee, has continued to practice without licensure since 2006. While the case file and documentation was referred to the Attorney General’s office in 2009, the Board is not aware that any action or injunction has been taken to sanction this practitioner.

## OLD BUSINESS:

2011 Self-Assessment of Internal Controls – This report was due to be filed July 31, 2011 by the former chairman, however, a copy has not been provided to the Board office for its records. Magas was asked to inquire to OSC about whether the report was filed, and if so, could a copy be secured for our files.

Laser Practitioner Application and Initial Licensure – Per Dr. Munavalli, clearance of the application by the Attorney General's office is not required. After a discussion on the proposed text of page 6 of the draft application and changes to the language in several paragraphs, the Board unanimously approved the wording on the Verification of Information, *approval by unanimous vote*. There was also a consensus that similar language could be added to the electrologist application for licensure to ensure uniformity in licensure of the two protocols. This can be accomplished without holding up the licensure of laser practitioners any further. The Board set September 15, 2011 as the deadline for laser practitioners to submit or re-submit an application for licensure. Wingate will see that the revised laser application is posted to the NCBE website.

Laser Site Inspection Checksheet – in conjunction with the initial licensure of laser practitioners, each laser applicant will be required to pass an initial site inspection. The proposed site inspection checksheet was approved unanimously on a motion from Dr. Munavalli, seconded by Delaney. Magas was instructed to send the approved checksheet form to our contractor, EMSI, to determine if it is still willing to conduct these inspections. If a positive response is given, these inspections should be commenced and completed as soon as possible after the laser application submission deadline has expired. Checksheet will need to be printed and a list of persons inspected provided to the contractor. Potential applicants who have not previously paid the appropriate inspection fee(s) should be reminded that this/these fee(s) are due and payable. Dr. Munavalli will oversee the laser inspection process. (*See further discussion in New Business – Committee Assignments*)

2011 Electrologist Inspections – 2011 inspections need to be commenced as soon as possible and completed no later than December 1, 2011. The 2011 checksheet has been re-formatted to include timeframes for correction of various element deficiencies. **Checksheet will be changed from year to year beginning with 2012 to comply with new Rules.** Dr. Munavalli assigned Dana Combopiano as the Board's coordinator for electrolysis inspections. (*See further discussion in New Business – Committee Assignments*)

2012 Electrologist Renewals – the 2012 renewal process needs to begin as soon as possible, with a letter/renewal form designed, printed, and mailed to all practitioners no later than October 15, 2011. Dr. Munavalli assigned Dana Combopiano as the Board's coordinator for 2012 electrologist renewals. (*See further discussion in New Business – Committee Assignments*)

All Forms were revised in the meeting and emailed from Dr. Munavalli office to each board member as the approved document.

## **NEW BUSINESS:**

### Committee Assignments:

Dr. Munavalli distributed a handout representing a summary of duties, action items, and statutory authority for each committee assignment of NCBEE. That handout is attached as a part of these minutes and serves as the detail for the discussion of these items.

1. **Electrolysis Renewals Coordinator** - Combopiano was assigned this responsibility. Wingate provided her prior year notebook to Stilwell for delivery to Combopiano as a go-by. *(See discussion in Old Business for action items relative to 2012 renewals.)*
2. **Laser Renewals Coordinator** – Dr. Munavalli will assume this responsibility.
3. **Electrolysis Inspections Coordinator** – Combopiano was assigned this responsibility. *(See discussion in Old Business for action items relative to 2011 inspections.)*
4. **Laser Inspections Coordinator** – Dr. Munavalli will assume this responsibility.
5. **Educational and Compliance Coordinator** – Cheryl Delaney is the existing coordinator and will continue in that role.
6. **Disciplinary Coordinator** –The purpose of this new committee is to report and investigate persons practicing without licensure. Rules will need to be adopted to implement statutory requirements. Dr. Munavalli will ask Doyle to assume this role as he is the Board member appointed to represent the consumer. As Doyle was not present for today's meeting, Dr. Munavalli will e-mail him to discuss the assignment.
7. **Rules Coordinator** – Delaney was assigned this responsibility. One action item is a report due 10/1/11 from the Joint Select Regulatory Reform Committee.
8. **Website Coordinator** – Wingate was asked to continue until further notice.

### Treasurer Duties

Incoming member Dorenda Stilwell has offered to fill this position when she is seated on the Board, and she has already begun training with OSC. In advance of a potential appointment of Stilwell to this office, Wingate provided Stilwell the official state manuals for administrative procedures relative to financial duties, as well as step-by-step written procedures for monthly certification. Some of the systems security clearance permission access documents required by the state have already been processed.

### Statutory Requirements and Reports

Wingate provided a listing of various statutes, policies, procedures and reports that apply to all occupational licensing boards. Further, she listed the various periodic reports that are required to be filed.

### NCBEE Policies

Dr. Munavalli discussed the policy for custody of NCBEE office keys:

- The Administrative Assistant – 1 key
- The Chairman – 1 key to prepare and open building for meetings
- The Educational Coordinator – 1 key to test applicants for licensure
- Other Board members – coordination with Adm. Assistant for entry

Dr. Munavalli advised that for the purposes of consistency, transparency, and management of costs to the Board, any direct contact by a Member of the Board to the Attorney General's office for consultation will require approval from the Chairman and knowledge of the Board prior to the contact.

With respect to services of the Administrative Assistant, Board members are reminded of the discussion at the previous Board meeting. The Board does not have the resources to fund an Executive Director; therefore, to control and limit costs to the Board, the duties of the Administrative Assistant have been substantially curtailed as compared to duties performed in the past.

Liability Insurance for NCBEE Board Members

Wingate reported that this issue is currently being researched with respect to the NC Torts Claims Act.

NCBEE Meeting Location

Dr. Munavalli asked that some of the Board's meetings be scheduled in Charlotte in order to expand his availability. On a motion from Delaney, seconded by Dr. Munavalli, the Board agreed to conduct its regular meetings (January and July) in Greensboro and its called meetings in Charlotte.

SCHEDULE NEXT MEETING – A Called meeting is scheduled for October 9, 2011, at 12:00 p.m. All members in attendance today are available for this meeting, as well as incoming member, Dorenda Stilwell.

ADJOURNMENT – On a motion from Dr. Munavalli, seconded by Delaney, the meeting was adjourned at 4:00 p.m.

Respectfully submitted:

Cheryl Delaney, LE RN  
V. Chairman *for*

G. Munavalli, MD  
Chairman

Approved \_\_\_\_\_ 2011

approved 10.09.11



	<p>NCBEE for filing in licensee folders</p> <ul style="list-style-type: none"> <li>○ Prepare mailing labels and mail Renewal Certificates to licensees</li> </ul> <ul style="list-style-type: none"> <li>● Deficiencies: <ul style="list-style-type: none"> <li>○ Record any deficiency in fee payment, Renewal Form, CEU, observance of deadlines, etc.</li> <li>○ Send letter to licensee, stating deficiency and deadline for correction</li> <li>○ Record date and nature of correction by licensee</li> </ul> </li> </ul> <p><b><u>LASER RENEWAL PROCESS</u></b></p> <p>Design and implement a separate process similar to electrolysis for laser renewals within 6 months. After process is implemented, Dr. Munavalli will initiate and approve all laser renewals, and Dana will process the paperwork, including certificate preparation and mailing.</p>		<p>Dr. Munavalli</p>		
<p><b><u>Inspections:</u></b></p> <p>Electrolysis § GS 88A -16 21 NCAC 19 .0401</p> <p>.0402</p> <p>.0403</p> <p>Laser: GS 88-A 16</p>	<p><b><u>ELECTROLYSIS INSPECTION PROCESS</u></b></p> <ul style="list-style-type: none"> <li>● Maintain Master Spread Sheet for electrologists</li> <li>● Spreadsheet data recorded: <ul style="list-style-type: none"> <li>○ license number</li> <li>○ licensee name</li> <li>○ mailing address</li> <li>○ business address</li> <li>○ business phone</li> <li>○ alternate phone</li> <li>○ e-mail address</li> <li>○ date inspection completed and cleared</li> <li>○ record deficiencies - description,</li> </ul> </li> </ul>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Dana Combopiano, LE</p>		

21 NCAC19-202 (f)(F)

dates notified and corrected (see below)

- Contact EMSI to make contract arrangements, including fee charge and timelines
- Design, print, and mail Inspection Forms to EMSI with a list of licensees names and contact info
- Work with EMSI in coordinating inspections
- Monitor incoming licensee reports
- If deficiencies are reported, prepare and send letter to licensee with instructions and timeframe for correcting deficiencies
- Coordinate initial inspections for new licensees and inspections for licensees relocating an office
- Within 6 months, revamp electrolysis inspection check sheet to conform to the new rules in .400 & .0401 that became effective in 2010 (not time to do for 2011 inspections, but need to have ready to go for 2012). This will include consultation with EMSI - if we add new criteria, the contract rate will likely increase, so we need to identify the *critical* items needed for the inspection and design the 2012 check sheet with that in mind

**LASER INSPECTION PROCESS**

- Need to finalize the initial inspection process (as part of the initial licensure process)
- Conduct initial inspection for laser applicants for licensure

Dr. Munavalli

Dr. Munavalli



<p><b><u>Disciplinary:</u></b>  § GS 88A - 4  § GS 88A - 21  § GS 88A - 22  § GS 88A - 23</p>	<ul style="list-style-type: none"> <li>• New committee...<i>no rules are written</i> ref: Statutes</li> <li>• Report and investigate any persons reported to be practicing without a license</li> <li>• Written report to board for approval...</li> <li>• Consult with Attorney General's office for legal advice</li> <li>• Rules should be written to implement statutes more clearly</li> </ul>	<hr/> <hr/> <hr/> <hr/> <hr/>	Jim Doyle. Public Member		
<p><b><u>Rules Committee:</u></b>  21NCAC 19.0301  21NCAC 19.0302  21NCAC 19.0303  Chapter 02  Rules Division  – Sub Chapter 02C – Section .0100 Chapter 150 B &amp; subsequence needed procedures</p>	<ul style="list-style-type: none"> <li>• Coordinate, author, edit , publish new rules</li> <li>• Periodically review existing Rules, keeping current on more efficient and substantial rulings needed for the practitioners</li> <li>• Keep log record of all proposed Rules, including the labeling and maintenance of a copy of every edition/version of Rules considered by NCBEE</li> <li>• Format and follow guidelines for proposing, amending or deleting Rules, as per RRC manual and other State regulations</li> <li>• Approval of any new rule by NCBEE &amp; RRC before published</li> </ul>	<hr/> <hr/> <hr/> <hr/> <hr/>	Cheryl Delaney, LE RN		
<p><b><u>Sub Committees</u></b></p>	<ul style="list-style-type: none"> <li>• Appoint as needed</li> </ul>				
<p><b><u>Website</u></b></p>	<ul style="list-style-type: none"> <li>• Update and maintain existing website in a timely matter.</li> <li>• Publish all approved minutes</li> <li>• Maintenance as needed</li> </ul>		M. Wingate...until further notice		

<p><b><u>Treasurer</u></b></p>	<ul style="list-style-type: none"> <li>• Maintaining all finances as per OSC &amp; OSBM &amp; Oversight</li> <li>• Monthly Reports, Certification, etc.</li> <li>• Responsible for contacting the CPA for audit</li> <li>• Reports as requested</li> <li>• Fee Report</li> <li>• BD 606</li> <li>• Work with Susan on daily transactions</li> <li>• Close end of year 06.30</li> <li>• Signing of checks</li> <li>• As Assigned</li> </ul>		<p>Dorenda Stilwell, LE</p>		
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1. All Members should be familiar with Chapter 93-B Occupational Licensing Board (OLB)
2. Role of the Board member (*Description of duties of officers and actions of each member*)
3. Know and execute By-Laws (*can be changed with notice and 2/3 vote of the board*)
4. General Guidelines on Right of the Public at Board Meetings
5. General Guidelines for Compliance with the Open Meeting Law –
6. § GS Chapter 143-318.9 – 318.18 Article 33 –C – Meeting of Public Bodies
7. § GS Chapter 132.1 132.10 Public Records
8. Complaint Procedure Committee (*This should be voted on a made into a Rule under Section .0300 Administrative Law Procedures...Investigators appointed by Chairman annually*)
9. All meeting shall be conducted and conform to Robert’s Rule

**Reports:**

**Mandatory reports:** others prepared as requested:

**Fee Report:** Due January 15, This is a record of all fees charges and occurrences

**Personal Service Report:** Due upon Request

**Department of Commerce:** Quarterly...Update Website of changes to agency. Report has not been made since 2009

**Self Assessment of Internal Controls:** July 31, Should be understood and signed by the Chief officer stating that they are aware of the internal workings of the board acknowledging Internal Controls and Risk factors of the agency. To my knowledge, this has not been done.

**Oversight Committee:** Mandatory G.S. 93-B requires all licensing boards file an annual report and a financial report with the Joint Legislative Administrative Procedure Oversight Committee by October 31 of each year. This has not been done on time: 2009...This report was not completed until Feb. 7, 2011. C. *This should be placed on the agenda as it will be looked at by the Joint Legislative Review Committee.*

**Annual Audit:** Barre Burke, CPA –

Office Coverage - determine if NCBE office is still feasible (lease expires in March) given Board's poor financial condition/review Adm. duties and reassign to Board members (*Susan will be on a month to month contract*)

**By- Laws** – Proposals have been made to change the By-laws. Procedures were not properly followed. The OSC has made changes in financials rules, changes will need to be made accordingly.

**Reports are due upon request and at every regular meeting**

## **Recommended Policy:**

**KEYS:** There are 2 keys only, with the exception of the Administrative Assistant

Recommend owners:

1. The Chairman
  - Open building for meetings and preparation
2. Educational Coordinator
  - Testing and coordinating applicants
3. Any one else needing to go the Board office coordinates with Adm. Assistant for entry

**ATTORNEY:** Payment for legal expense will not be authorized unless approved by the board prior to discussion

**ADMINISTRATIVE ASSISTANT:** Following are the specific duties to be performed by the Administrative Assistant:

### **COMMUNICATIONS**

- Log and return phone call messages that are directed to Board office
- Log and process incoming mail directed to Board office
- Monitor e-mail messages directed to Board URL and direct inquiries to appropriate board member for action

### **FINANCIAL TRANSACTIONS**

- Process incoming receipts, including bank deposit and online deposit certification
- Process incoming invoices for payment, including online entries to CMCS for accounts payable, requisitions, transfers, and payment cycle processing
- Mail checks to vendor after processing and receipt from Board of Cosmetology

### **INSPECTIONS**

- Provide a list of licensees to be inspected to the Board-determined vendor
- Provide Board-developed checksheet to said vendor
- Maintain master spreadsheet of inspections
- Issue one follow-up notice to delinquent licensees

### **LICENSEES**

- Maintain master list of licensees
- Maintain master spreadsheet of licensee renewals
- Arrange for testing of new applicants
- Maintain licensee folders

### **BOARD SERVICE**

- Send public meeting notice
- Arrange for conference room
- Secure supplies for office needs

**DUTIES SPECIFICALLY EXCLUDED:** The following are duties which are either managerial or executive in nature, or the fiduciary responsibility of appointed Board members and are, therefore, **outside the scope of duties which the Administrative Assistant is expected to perform:**

- Build or plan meeting agendas
- Attend Board meetings
- Prepare minutes for Board meetings
- Draft, prepare, and/or issue annual licensee renewal notices
- Draft, prepare, and/or issue annual renewal certifications
- Draft or prepare inspection checksheets
- Draft, prepare, and/or issue compliance notices – renewals and inspections
- Draft, edit, process, or coordinate Rulemaking

- Draft, prepare, or respond to correspondence with state officials
- Draft or negotiate contracts
- Perform compliance investigation of schools, licensees, or unlicensed practitioners
- Compile, prepare, certify, or submit reports to state officials or offices
- Maintain Board website

approved 10.09.11