



NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS

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Minutes

“Special Called” Meeting

August 07, 2011

9:30am

PURPOSE OF MEETING: Personnel, Laser Applications, Direction of the Board, Inspections & Renewals, State Reports, Elections, assign committee.

MEMBERS PRESENT: Margaret Wingate, Treasurer, Cheryl Delaney, Educational Coordinator, and Dr. Munavalli

DISCLOSURE OF AFFILIATION WITH ORGANIZATIONS/SIGN IN SHEET: Cynthia White, Dorenda Stilwell, Alice Saintsing, Dr. Nancy Ledins, Myrtle Hamrick, JoAnn Kendall, Marilyn Owens, Jennifer Cagle Thelma White, Jennifer Morris.

MEETING OPENED: 9:30am, Margaret Wingate, Treasurer open the meeting in accordance with 21 BNCAC 19.0101 (b)

ETHICS AWARENESS & CONFLICT OF INTEREST REMINDER: read by M. Wingate, no conflict acknowledged.

Personnel: M. Wingate asked permission to go into Executive Session to discuss a personnel matter, motion: Cheryl Delaney, Seconded: Dr. Munavalli, no discussion, all in favor.

Upon returning to the regular meeting, M. Wingate reported that Susan Magas will stay on as the part-time Administrative Assistant with an increase in pay of \$5.00 with a limit of 12 hours per week. A copy of Ms. Magas' descriptive duties and responsibilities were distributed to each member. People Link, the temp agency will be notified of the pay increase and a copy of agreed duties.

Wingate reported that it was not until Saturday morning, August 6th that she would be responsible for the meeting due to the absence of both the chairman and vice chairman.

Approval of Minutes of 05.22.11--Motion made by Cheryl Delaney to accept minutes as written and to be put on website, seconded by Dr. Munavalli. Wingate reported; neither the minutes of meeting 06.12.11 nor minutes of 07.17.11, the schedule conference call, had not been written up, therefore, could not be discussed. Wingate reported that it is the responsibility of the Vice Chairman to ready the minutes for a meeting or the Chairman assign the duty to a responsible party. The minutes in question should be made available at the next future meeting.

Laser Applications--Cheryl Delaney: The laser application had been approved. She was awaiting the appointment of Dr. Munavalli before proceeding with the implantation of laser application process. Dr. Munavalli specialty is in the use of laser applications. Since the Laser Application had been previously approved, it is imperative that the process begin as soon as possible to get the laser practitioners licensed. If changes are called for they could be made later. It is important that

everyone realize the impact, liability and protection charge to the Board in approving each individual practitioner for their use of laser. The information reported on each application is solely of the applicant. The letter that was previously written to accompany the new application has not been approved. Dr. Munavalli asked what changes were needed in the letter and if a new fee would be imposed. Cheryl explains, the second application fee would be waived but if you have not paid for the inspection, the fee of a \$100.00 would apply. The main purpose at this point in time is to get the laser practitioners in line with the statutes and rules and licensed by the Board. Dr. Munavalli made motion to prepare the letter accordingly and send out as soon as possible. Seconded by Cheryl Delaney, discussion: Cheryl added the letter will be self-explanatory but if anyone needs assistance or has questions about the application, she will be happy to assist Munavalli agreed. Vote: all in favor.

Margaret injected that a design for the initial laser license had to be made and approved by the Board before issuance. Also, to lessen the work load and have continual money flow for annual renewals, the deadline for electrolysis would be 12.31 and deadline for laser renewals 09.01.

If necessary, the electrolysis application form can be redesigned to be more aligned with the laser application if necessary and a new site inspection form for laser will need to be approved. EMSI said they would do an initial basic inspection for the first time and if a more experienced company is needed to perform the laser inspection, we can look further. Dr. Munavalli questioned the inspection process and frequency thereof for both laser and electrolysis. Margaret asked if Cheryl could develop a Laser Site Inspection form to be approved at the next meeting.

Treasurer Report: M. Wingate reported Certification for the month of 6.30.11, year ending balance \$46,865.85. Money was saved over the year by personally absorbing of cost without reimbursement of travel, training, etc. A monthly certification spreadsheet developed and compiled by the Treasurer was distributed for the year end revenue and expenses. This report is a consolidation of monthly certifications and breakdown of accounts and the accumulation of transactions aligned and compared with monthly reports from OSC. She emphasized why this should be a monthly requirement with a copy sent to each member... adding that it was a quick and easy tool to use in reference to the Board's financial situation and for requested reports.

According to the new OSC requirements, a new check signing authority will need to be assigned. All paper checks are processed then sent to the Cosmetology Board for printing. The checks are immediately forwarded to the check writing authority, which I do now as Treasurer. The check MUST be mailed the day it is received alleviating a late fee. The state will not allow a late fee charge. Every regular expense incurred by the board is now being paid electronically except for AT&T. The newly appointed Treasurer will assume the responsibility 09.01.11 as my term ends 08.31.11. Also By Laws will need to be changed to concur with mandates. Motion by Cheryl Delaney to accept treasurer's report, all in favor.

Direction of the Board: Nancy Ledins, PH.D

Reported that she had contacted all Boards that may be thought may have an interest in absorbing NCBEE as a regulatory committee. Stated, there was nothing positive to report...continued saying she had spoken with her Senator and to the Speaker of the House. It appears that it is still up in the air and we will not know anything for sure about the possibility of Sunset until next May, at which time a list will be given to the Governor and then a decision will be made. This does not mean that something could not happen before then. Dr. Ledins emphasize the importance of working with Susan as she administers the OSC duties as mandated. Also, part of the survival of the board will depend on other people and members

of the Board and their interaction and transmission of their duties. Everything will be looked at by the Joint Legislative Review Commission.

M. Wingate thanked Dr. Ledins for a job well done and for her interest in collaborating with the different boards in the interest of NCBE.

NEW BUSINESS

Renewals: The renewals for 2011 were complete with the exception of Janet Hensley, Asheville, NC. She did not complete CEUs requirement for renewal, therefore, practicing without a license. Cheryl will follow up and report at the next meeting.

Inactive electrologists for 2011: Barbara Barr, Maria Gersfeld, Justine Lyons and Mildred Pierce. A running tally of CEUs earned is now kept for each electrologist whether earnings are through seminars or home study. If CEUs are derived through home studies, a record of subjects is recorded by year taken. There were several instances in the past year where the same home studies course was repeated and submitted for credit. Those licensees were required to complete other coursework in order to obtain 2011 license renewal.

Some have questions on home studies carry-over. It has been the policy since 2001, as per the minutes of 01.12.2001, that no more than 1.0 CEUs will be recognized for any home study course. This policy was entered into the new rules but not published, therefore will need to be re-visited as a permanent rule to coincide with policy.

Inspections: The 2011 inspections have not been conducted. Due to the postponing of the regular meeting in January and the need to approve, the new Site Inspection Form has not been approved to match the newly approved Rules 21NCAC 19 .0401, 0400, .0403, .0404, 0405,.0406 .0407, .0408 0.409 .0410, .0411, and .0412 effective December 01.2010, The form should be changed often for compliance. M. Wingate reported that the proposed Site Inspections Form had been presented numerous times asking for the electrologists to review and get back with their changes, so far no one has responded. So today, I am presenting the proposed Site Inspection Form for approval. As you can see the mandatory criticalities are broken down on a pass or fail system targeting three categories: These categories can be changed anytime as long as the requirements are aligned with the Rules as stated above.

The Treatment Site Inspector will rate each of the following elements as PASS or FAIL by placing an "X" in the appropriate box for each inspection element. All failures will demand a re-inspection at the licensee's expense.

PART A: Failure in this section will demand a 15-day correction period

INSPECTION ELEMENT:

1. Use of an autoclave or dry heat sterilizer
2. Records of repairs to autoclave or dry heat sterilizer for preceding 18 months (place N/A in PASS column if no repairs in past 18 months)
3. Biological indicators used on monthly basis and filed permanently in a Quality Assurance File kept on premises
4. Use of non-sterile examination gloves
5. Use of packaged disposable probes
6. Use of labeled Sharps container for used probes and sharp items

PART B: Failure in this section will demand a 30-day correction period

INSPECTION ELEMENT:

1. Clean lab coat or scrubs worn during each treatment
2. Pre-sterilized instruments and other items stored in a test tube or packaged
3. Instruments cleaned prior to sterilization either ultrasonically or by hand with a germicide effective against HIV, staphylococcus, herpes, and HPV
4. Use of treatment table or chair specifically designed for client treatment
5. Accessible hand-washing facilities on the same floor

6. Covered trash receptacle in the treatment room

PART C: Failure in this section will demand a 60-day correction period

INSPECTION ELEMENT:

1. Properly labeled germicidal skin preparation and antiseptic product for cleansing clients' skin
2. Clean paper or cotton towel or paper sheet to cover the treatment table that is changed after each client
3. Circuline, halogen, or magnifying lamp (or magnifying glasses) used at the treatment site
4. Adequate supply of cotton balls, antiseptic products, and cleaning materials
5. Original license and current renewal certificate displayed

I believe this will work better and assure the practitioners awareness of the importance in Infection Control and their surroundings. Each practitioner will adopt a better practice in relations to better serving the public. The only down side is that it will take more administrative time to ensure adequate inspections and/or re-inspections, paid by the practitioner, are carried out accordingly. May I get a motion to adopt the new proposed Site Inspection Form for the electrologists to be used to complete 2011 inspections? Cheryl made motion to accept the new form, seconded by Dr. Munavalli...discussion: Cheryl said she thought it was good to use the pass/fail system giving the practitioners time to respond and that if a re-inspections is needed, the deficiency, bringing awareness to the new rules. The deficiency & dated letter would be documented on the master-copy of practitioners. The Inspection Chairman would follow-up accordingly. Vote called: passed

Reports: M. Wingate explained necessary reports and due dates. The responsible person must make every effort to meet the deadline required by the agency requesting. Other reports will be required and should be processed as requested. It is very important that the deadlines are timely met. It is the Chairman's responsibility to either fulfill this requirement or assign someone to administer the process.

Fee Report: Due *January 15*: Fees collected and frequency of occurrences of Occupational Licensing Board. This report is entered through the mainframe of the NC Government Fee Reporting System (OSBM), *showed sample and an explanation of the report.*

Personal Service Report: Due *December 17*, I was copied January 26th on an email from OSBM to the Chairman stating this report was past due. I placed a call to OSBM and got the information needed to file the report. Report file January 26, 2011. *Emails of correspondence were distributed to members.*

Department of Commerce: *Quarterly...*This has not been completed since 2009. Update Website of changes through agency mainframe.

Self Assessment of Internal Controls: Due *July 31*: This report acknowledges that you understand the internal workings, internal controls and risk factors of the Board. It is good if all members are a part of the process to give them a better perception and deliverance of their duties and responsibilities.

Oversight Committee: Due *October 31*: Mandatory requirements of §G.S. 93-B for all occupational licensing boards. This is an annual report filed with the Joint Legislative Administrative Procedure Oversight Committee. I received an email from Harrison Moore in Research cc: to the Chairman and the Board office notifying me the 2009 report had not been filed. I complete the report as requested and sent in with my apologies, received confirmation of the completed report Feb. 7, 2011. Margaret gave out a copy to each member for future guidance. *Emails of correspondence were distributed to members.*

Annual Audit: Due September: Barre Burke, CPA – It is necessary the compilation be completed as soon after 06.30, the year-end closing and no later than September 30th to complete the Oversight Committee Report, which is due October 31st.

By-laws: At the last regular meeting the board the chairman gave out a typed up version of how he wanted the by-laws to change but the sample did not reflect what was changed. Protocol was not followed as to the proper procedure for changes and the proposed changes were never voted on. Now that the OSC has changed their requirements, it will be necessary to re-visit the proposed changes to include the OSC new requirements. A draft was given to members and audience of proposed changes, but did not include the new financial requirements of OSC. In making changes to the By-Laws--proper notice has to be given with a 2/3 vote of the board for passing.

Dr. Munavalli asked if a calendar be set up deadlines for all reports.

Elections: The proposed changes in by-laws included making elections in January. Since the by-law changes were never approved and an official meeting was not held in January or July as by statute, it would be in order that the elections are held at this meeting. The three positions of officers are: Chairman, Vice-Chairman and Treasurer. Starting at the bottom, Treasurer first; I would like to stay on as Treasurer until the new appointee takes office 09.01.11 at which time the new Chairman will appoint an Acting Treasurer to resume the duties thereof. All agreed. Vice Chairman: M. Wingate nominated Cheryl Delaney, second by Dr. Munavalli - Chairman: M. Wingate nominated Dr. Munavalli, second by Cheryl Delaney. Both candidates accepted their nomination as Chairman and Vice Chairman, *effective immediately*.

M. Wingate congratulated both the new officers and pointed out that in assuming these responsibilities, the Chairman would need to assign committees. Dr. Munavalli said he wanted a list of all committees and within a couple of week we could reconvene and reassign. He said he would notify the Board of the next meeting and asked that it be held in Charlotte for the committee assignments. Motion made by M. Wingate, seconded by Cheryl Delaney that we accept the offer to meet in Charlotte with date to be announced. Motion carried.

Public Speakers: Dorenda Stilwell stated that she is no longer the President of NCLHRSA. The new Chairman is Liz Fisher. She stated problems she had with the laser application: serial numbers, discriminatory treatment of laser practitioners re: background checks, verification of information, verification of training hours and curriculum. She stated that the Board's attorney has not seen this application, and she believes that he should approve the application before it is finalized. She feels the previously approved application should be rescinded. Margaret and Cheryl stated that the application was shared with our attorney, Barry Bloch, and that the former chairman had approved all language.

Alice questioned why we need the serial # of the machine? Dr. Munavalli says this is important for us to be able to track a machine as it changes hands. She asked why the Board needs to know purchase date. Dr. Munavalli said the Board needs to know this for getting information about equipment being used on clients. Alice said the manufacturer told them the machines do not have to be serviced every year. Dr. said industry standards are not necessarily trustworthy – calibrations can be off, even within one year. Complications for laser are frequently seen, per Dr. Munavalli, due to problems with devices, and damages are vastly underreported. She also raised an objection to paragraphs six and seven on the last page of the application.

Dr. Munavalli will review the last page and suggest alternate language, as well as discuss with the Board's attorney. When Dr. Munavalli has consulted Barry Bloch, the changes, if any, will be made and posted on the website.

The next meeting will be in Charlotte, and Dr Munavalli will advise the date.

The meeting was adjourned at 11:30 p.m.

Respectfully submitted,

Margaret Wingate

Approved 08.28.11