



NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS

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SEMI-ANNUAL VIRTUAL MEETING MINUTES

January 30, 2022 – 1:00 p.m.

Board Members in Attendance: Margaret Wingate, Dr. Summit Kundaria, Stacy Miller, Charlene Poole.
Others in Attendance: Susan Magas, Jack Nichols (NCBEE Counsel), Dennis Seavers (ED for Barber Examiners Board), Lesa Wingate (for EANC), Ann Morris, and Cheryl Delaney.

Wingate called the meeting to order and read the Ethics and Conflict of Interest Reminder. Board members indicated they had no conflicts. New Board Member, Stacy Miller, was introduced and welcomed. Dr. Kundaria, who is rotating off the Board, was thanked for his dedication and input on COVID and laser matters during his term. Upon the recommendation of the Medical Board and Dermatology Association, the Governor officially appointed Dr. Craig Burkhart of Cary as our new physician board member.

APPROVAL OF MINUTES

The minutes of the July 24, 2021 semi-annual meeting and the August 5, 2021 called meeting were unanimously approved.

TREASURER REPORT

Poole read the financial report detailing information as follows:

<i>Fund Balance Dec 2021</i>	<i>\$ 72,433.12</i>
<i>Revenue - \$ 17,225.00</i>	
<i>Expenditures - \$ (15,987.19)</i>	
<i>Fund Increase -</i>	<i><u>1,237.81</u></i>
<i>Fund Balance Jan 2022</i>	<i>\$ 74,670.93</i>

The report was accepted as presented.

LICENSE RENEWALS

C. Poole reported that out of 76 expected renewals, 63 have been completed and 13 are pending. In 2021, the Board added 6 new licensees and 1 reciprocal transferred in. Some renewal certificates were inadvertently sent out using the old 2020 template. These have been identified and are in process of being reissued.

WEBSITE

M. Wingate led the Board through a demo of reconfigured website. The platform required a major update. A greater emphasis on continuing education was noted in light of ongoing work we are doing to update educational resources. Wingate highlighted several of the tabs to familiarize members with location of statute, rules, and forms. We will be focusing our licensees on utilizing the fill-in forms as

handwritten ones are sometimes difficult to read and result in errors. While viewing the Bylaws section, it was noted that these are in need of amending.

UNFINISHED BUSINESS

Update on Unlicensed Practitioner – J. Nichols reported that the Board has filed suit against a licensee for failure to be licensed in electrolysis and laser. We will be participating, as required by Superior Court, to enter into mediation with the offender. This will be scheduled in the next 60 days. If the mediation is not successful, we will proceed to trial. While we do not currently have statutory authority to assert penalties, the language in the proposed merger of our Board with the Barber Examiner Board will enable us to ask for penalties and costs of litigation in future actions. S. Miller said that she has information that she will be sending in on another practitioner which may result in a complaint.

Practicing out of Legal Scope – the topic of “advanced electrolysis” was discussed in a prior meeting. Dr. Kundaria says this is not a legitimate term, but rather, one that is made up. The procedures we have previously discussed in this area do not deal with hair removal and are clearly dermatological procedures. His suggestion is to develop a board position statement. While not legally enforceable by the electrolysis statute, it provides some cover for the Board, and hopefully discourages our practitioners from practicing out of scope. The Board unanimously approved a motion by Kundaria and seconded by Poole to develop a position statement to address the issue. Another approach would be to press the MD supervisor to ask the practitioner to discontinue these practices if a complaint is received.

Home Studies for Laser – a number of proposed courses offered by a national organization, Society for Clinical and Medical Hair Removal (SCMHR), were reviewed and discussed. This was not resolved at the prior meeting as the list of courses had incomplete information. Wingate has now researched each course and the organization’s web site and provided a list for consideration. Sixteen courses were approved for laser and will be listed on the board’s website.

Courses Needing Additional Information – this may include taking the course in order to determine scope and content. C. Poole will follow up on these for a future discussion.

- . Anatomy & Histology of Hair & Skin
- . Hair Growth
- . Scar Management
- . Shaving & Hirsutism
- . Structure & Dynamics of Hair
- . Thermolysis Through a Different Light

Courses Not Approved for Laser CEU –

- . Basic Electricity – deals with electrolysis
- . Consultations with Results – not laser-specific
- . Prevalence of Glucose Intolerance...Androgenic Anovulation – deals with electrolysis
- . Eyes of the Electrologist – not laser-specific
- . Hirsutism and Androgen Excess – long term results for laser differ from electrolysis
- . Medical Terminology...Anatomy and Electrology – not laser-specific
- . Pigmentation...Skin Discoloration – course deals specifically with electrolysis
- . Psoriasis and Electrology – not laser-specific
-Interacting with Other Practitioners – not laser-specific

Mandatory Board Member 93-B Training - Ronnie Dunn has never received the training, but her term has expired as of August 2021. Technically, she obliged to serve until the Governor names a replacement, which has not yet occurred. Stacy Miller was appointed to the Board as of January 1, 2022. These members, plus the new physician appointee all need this training.

CEU Training Offered by Associations - Alice Saintsing completed the reporting requirements for GPEA by working with Chairman Wingate to prepare a spreadsheet of participants. EANC submitted documentation for 26 licensees that completed this group's online program, "Electrolysis in the Making." EANC President, Lesa Wingate, proposed that this course be allowed to continue to receive credit by adding additional questions to the end of course test for subsequent years. On a motion from Dr. Kundaria, seconded by S. Miller, the proposal was unanimously approved.

Continuing Education Issues – A number of questions remain on the nature of carryover credits and combined credits for electrolysis and laser. Our current Rules have limitations on carryover credits for "home studies." Further, due to COVID, many CEU offerings have reverted to some type of "virtual" presentation, which is not covered in the Rules or Statute. Modifications are needed to better define these terms.

Lesla Wingate of EANC posed a number of questions on virtual learning for the Board's response such as whether a moderator is required, how virtual learning is documented, and how to facilitate participation with two-way conversation. Kundaria responded that virtual learning demand and usage will most certainly expand, and we need to encourage active involvement of participants, for example, calling on them to discuss issues vs. listening to a monologue of the speaker. Lesa volunteered to research this and share her findings with the Board. EANC could serve as a guinea pig to develop some type of round table discussion. C. Poole suggested having some demo presentations for the Board to review.

The Board's attorney, Jack Nichols, addressed the issue of carry-over provisions. In essence, the Board can go any way it wants using a number of methods, including:

- rules changes;
- declaratory rulings, which interpret statutes and rules; or
- individual decisions made on a case-by-case

Dr. Kundaria commented that we need to give credence to these new forms of education delivery. Face-to-face education delivered virtually should be treated the same as a sponsored seminar with respect to allowance of carry-over credit. We should grant the carryover credits already obtained and write new rules to accommodate this.

HB 792 Merger with Barber Board – D. Seavers provided an update that since the House passed the bill unanimously, it is now eligible for consideration by the Senate without starting all over in the next session. There will need to be an amendment to change the effective dates. It may also be possible to pass a retroactive merger. When the bill is ultimately approved, there will need to be temporary Rules enacted.

NEW BUSINESS

Rules Committee – Due to anticipated changes needed as a result of a potential merger and the issues we discussed today regarding continuing education, existing Rules will need to be modified.

93-B Training – this mandatory training needs to be conducted for new board members, Stacy Miller, as well as the new incoming physician member when appointed by the Governor. Ronnie Dunn, our Public Member will still need to receive this training, particularly if she is reappointed.

The next annual meeting is tentatively scheduled for Saturday, July 23, 2022 at 10:00 a.m. via Zoom

As there was no other business, this meeting was adjourned at 3:07 p.m.

Respectfully submitted by;

Susan Magas, Admin Asst.

For:

Margaret Wingate, LE
NCBEE Chairman

Approved 5.13.2022