

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING

MINUTES OF THE OCTOBER 28, 2015 BOARD MEETING

TIME: 9:30 a.m.

PLACE: 1000 Washington Street
Room 1 G
Boston, MA 02118

PRESENT: Susan Viens, Michael Gayzagian, Marian Saluto, Janice Dorian, Joy Talbot,
Catherine Tool

ABSENT: Nam Pham

STAFF: Rob Fortes, Deputy Director of Boards and Policy
Brady Merrigan, Assoc. Executive Director
Lynn Read, Board Counsel
Sarah Wilkinson, Assistant Chief Investigator
Kelly Puccio, Investigation Supervisor

Observers attended the meeting and a sign-in sheet was circulated.

The meeting was called to order at 9:30 by Ms. Viens, who described emergency exit procedures.

Electrology Regulations

Ms. Read began by speaking about Electrolysis regulations and clarified policy changes with respect to laser hair removal.

Members discussed their concern with minimal training to pass the exam.

Ms. Dorian asked the proper curriculum would be available to consumers in the regulations and spoke about costs associated with writing the exams.

Ms. Read stated the Board must approve all the curriculums.

Ms. Dorian suggests the Board allow for flexibility so the schools can keep up with the latest trends.

Ms. Read suggests the Board review policy before finalizing regulations.

Members of the public spoke about their concerns with diluting how things have been done in the past by the former Electrology Board.

Mr. Fortes reminds the Board that the administration wants to find ways to improve the industry and is looking for the Board's guidance.

Members discuss number of hours and other issues related to Electrolysis curriculum. Members of the public give testimony.

Ms. Saluto proposes tabling the Electrolysis regulations.

Ms. Dorian suggests Ms. Saluto bring new proposals for streamlining the Electrology regulations to a subcommittee meeting.

Members express concern over number of hours required for laser training. Mr. Gayzagian suggests a separate license be created for laser. Ms. Read says the Board has authority to create sub-licenses.

A MOTION is made by Mr. Gayzagian and second by Ms. Saluto to incorporate the Board's policy on Licensure Requirements for Laser Electrolysis into the Electrolysis regulations. The Motion passes unanimously.

A MOTION is made by Ms. Talbot and second by Mr. Gayzagian to streamline the Electrolysis regulations and revise them to make them comparable to other disciplines. The Motion passes unanimously.

A MOTION is made by Mr. Gayzagian and second by Ms. Dorian to create a subcommittee to suggest amendments to streamline the Electrolysis regulations. The Motion passes.

A Lunch break was taken at 11:30 a.m.

The Chair called the meeting back to order at 12:10.

Ms. Read requested the Board table the discussion of Intense Pulsed Light (IPL) and put a vote to amend the policy for IPL on the agenda for next meeting.

A MOTION to table the discussion and put IPL on the agenda for the next meeting was made by Ms. Saluto and seconded by Mr. Gayzagian. The members discuss the merits of the Motion. Ms. Tool thinks it is not necessary. More discussion about whether or not IPL is laser. The Motion Fails, two in favor and four opposed.

A MOTION was made by Ms. Dorian, seconded by Ms. Tool to draft frequently asked questions regarding IPL and Laser.

The Motion Passes unanimously.

Barber Regulations

Members discuss and agree on the need to amend language in 240 CMR 8.04(d) and 8.04 (s), regarding separation between barber shop and living quarters, and eliminating the number of required brushes.

Ms. Talbot requested that barber neck dusters be permitted by the regulations with proper sanitation, citing barber heritage.

Members discuss sinks in barber shops, cosmetology salons, and in dual barber-cosmetology shops.

A MOTION is made by Ms. Talbot second by Mr. Gayzagian to have shampoo sinks as the only allowable sink for barber shops.

The MOTION passes.

A MOTION is made by Ms. Dorian second by Mr. Gayzagian to add price lists for barber shops and make advertisements equal among cosmetology salons and barber shops.

The MOTION passes.

The members discussed Section 8.02, Barber Schools.

Anthony Clemente suggested updating the barber regulations by adding regulations based on the cosmetology sections. Ms. Read said this was less advisable under the Executive Order than adding barbers to the cosmetology regulations. Board members agreed with Mr. Clemente.

Members discussed bond requirements for schools and how to structure them.

Mr. Clemente suggests streamlining the requirements and making them apply to all disciplines.

Members discuss placing signs on barber schools and enrollment issues, number of chairs. Ms. Dorian suggests monthly student lists be provided for consumer protection and opposes reducing the number of chairs in barber schools.

Nam Pham joins the meeting at 1:55 p.m.

A MOTION is made by Ms. Talbot second by Ms. Tool to make the chair to sink ratio 4-1. The MOTION passes with three in favor, two opposed, and two abstaining.

Members discuss student hours lost when attendance is interrupted. A MOTION is made by Ms. Tool, second by Ms. Talbot to table this issue. The MOTION passes.

A MOTION is made by Ms. Dorian second by Ms. Talbot to amend the order of the agenda to accommodate members of the public. The MOTION passes.

Aesthetics Schools

Members discussed raising the number of Aesthetics course hours from 300 to 600 hours.

Ms. Dorian tells members that schools can't get Title IV funding unless the number of hours are raised.

An Hynes introduced a letter in support of raising the number of hours and explained that Pell grants are available if the hours are raised.

Mr. Gayzagian suggested the Board was being encouraged to act hastily and out of step with the executive order, and asked to delay any vote until he had a chance to review a prior vote taken on the issue. Ms. Dorian opposed this suggestion.

Ms. Tool explained the field is too complex for 300 hour programs and supports 600.

Ms. Talbot asked if the Pell grants were contingent on having a 600 hour program and was told they are.

Ms. Dorian expressed concern that the U.S. Dept. of Education will stop funding unless the hours are increased.

Mr. Fortes expressed the opposition of DPL management to increasing the number of hours because it goes against the intent of the Governor's Executive Order to reduce regulation.

Members discussed the merits of 450 hours vs. 600 hours.

A MOTION was made by Ms. Dorian second by Ms. Tool to raise the number of Aesthetics program hours from 300 to 600. The MOTION passed 4-3.

A MOTION to reconsider the vote is made by Mr. Gayzagian. No second.

Manicure Regulations

Members discussed manicure instructors.

Members of the public expressed concern that 100 hours of instruction are not enough and that instructors should be specialists.

Ms. Pham points out that those who go through advanced training are better instructors.

Members discussed the need to require a high school diploma to be eligible to be an instructor.

Members agreed to add this requirement to the regulations.

A MOTION was made by Ms. Talbot seconded by Ms. Pham to make 30 hours be considered full time instruction for all professions under the Board.

The MOTION passes.

Members discussed reciprocity. Members expressed their desire to have out of state and out of country practitioners take the practical and written exam.

A MOTION was made by Ms. Dorian second by Ms. Talbot to prohibit animals, food and alcohol from the shop floor. The MOTION passes.

Members discussed temporary licenses and requested that temporary licenses be removed from the regulations.

A MOTION was made by Ms. Dorian second by Ms. Talbot to remove "cost of materials" and add instead, "cost related to services" to section 4.05(2). The MOTION Passes.

Members discuss cross-over licenses.

A MOTION was made by Ms. Talbot second by Mr. Gayzagian to delete the second sentence of 4.06 (3) requiring a barber license before being permitted to take the cosmetology exam.

The MOTION passes.

Members discussed eliminating booth rental licenses.

A MOTION was made by Ms. Dorian second by Ms. Talbot to eliminate booth rental licenses.

The MOTION passes.

Adjournment 5:20 pm

List of Documents Used at the Meeting:
Draft Regulations, 240 CMR 2.00-11.00

The above Minutes were approved at the December 8, 2015
Open Meeting.



Robert Fortes, Deputy Director for Policy and Boards