

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING
MINUTES OF THE February 12, 2019 BOARD MEETING

TIME: 9:30 a.m.

PLACE: 1000 Washington St
Room 1D
Boston, MA 02118

PRESENT: Susan Viens (Chair), Joy Talbot (Vice-Chair), Amanda Donis (Secretary), Janice Dorian, Marian Saluto, Catherine Tool.

Jesus Nuñez, Erinn Pearson, and Iris Stowe were absent.

STAFF: Richard Lawless, Acting Executive Director
Lynn Read, Board Counsel

The meeting was called to order at 9:35 a.m. by Ms. Viens.

Executive Session CLOSED per M.G.L. c. 30A, § 21(a) (1), Individual Character Rather Than Competence

A MOTION was made by Joy Talbot, seconded by Catherine Tool, to enter into Executive Session to review the character rather than competence of license-applicants. Ms. Viens announced that after the Executive Session, the Board would enter Investigative Conference [CLOSED per M.G.L. c. 112, § 65C to consider open cases, conduct investigative conferences and consider settlement offers] after which Open Meeting would resume.

The Chair called for a Roll Call vote: Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Donis (Yes); Ms. Dorian (Yes), Ms. Saluto (Yes); Ms. Tool (Yes).

The MOTION Passed.

See separate minutes.

Cases, Investigative Conferences, Settlement Offers [Closed Session Pursuant to G.L. c. 112, § 65C]:

A MOTION was made by Catherine Tool, seconded by Amanda Donis, to go into Investigative Conference. The MOTION passed unanimously.

During the closed Investigative session, the Board voted to take the following actions:

Settlements:

2018- 202850-FI-ENF	Guidance given to prosecutor
2018-201776-FI-ENF	Guidance given to prosecutor
2017-001021-IT-ENF	Dismissed
2018-000396-IT-ENF	Guidance given to prosecutor
2015-0310HD212-IT-ENF	Dismiss
2017-001440-IT-ENF	Dismiss

A MOTION was made by Joy Talbot, seconded by Marion Saluto, to exit the Investigative Conference and open a meeting of the Salon Pathways Subcommittee. The Motion passed 6-0.

Open Session resumed at 10:51 a.m.

SALON PATHWAYS SUBCOMMITTEE MEETING

See separate minutes.

The open meeting of the Board resumed at about 10:51 a.m.

Housekeeping:

Ms. Viens explained the emergency exit procedures.

Draft Minutes of Open Board Meetings Held December 11, 2018 and January 8, 2019

Draft Minutes of December 11, 2018

A MOTION was made by Joy Talbot, seconded by Amanda Donis, to accept the December 11 Minutes with changes discussed. The Motion passed 5-1 with Ms. Tool abstaining.

Draft Minutes of January 8, 2019

A MOTION was made by Janice Dorian, seconded by Catherine Tool, to accept the January 8 Minutes as written. The Motion passed 6-0.

Executive Director Report

Mr. Lawless announced that Deputy Commissioner of Policy and Boards Robert Fortes had departed DPL and wished him the best.

Mr. Lawless discussed the upgrade to the e-licensing system, which must be completed before the changes to the Board's regulations can be made to that system. He and the Board discussed the time needed to announce and implement the change in the aesthetics curriculum from 300 hours to 600 hours.

A MOTION was made by Joy Talbot, seconded by Catherine Tool, to announce to schools that May 1, 2019 is the date after which students may no longer enroll in 300-hour Aesthetics programs.

Ms. Viens discussed vocational cosmetology students 15 years old getting credit for hours in the Cosmetology program. A MOTION was made to permit students in vocational schools to be credited effective immediately with hours earned beginning at age 15. After discussion, the Board agreed that this matter will be placed on the agenda for the Board's next meeting in March.

Board Counsel Report

Ms. Read said legal issues would be discussed under other agenda items, thus reported nothing at this time.

Discussion:

School Approval of Transfer Students to Take Exams at 1000 Hours

A MOTION was made by Catherine Tool, seconded by Janice Dorian to table this for a future meeting. The Motion passed 6-0.

Draft Policy on School Program Hours

After discussion, a MOTION was made by Catherine Tool, seconded by Joy Talbot, to accept the draft Policy on School Program Hours with the changes discussed. The Motion passed 6-0.

Draft Policy on Apprenticeship and Student Employment

The members discussed the draft Policy on Apprenticeship and Student Employment. Members requested the staff make changes to areas including students employed in salons; time at which students can apply for apprenticeship; relationship between curriculum and work in shops; and expiration.

A MOTION was made by Catherine Tool, seconded by Marion Saluto, to amend the draft Policy on Apprenticeship and Student Employment and place it on the agenda for the next meeting. The Motion passed 5-0.

Electrology and Aesthetics Program Crossover

The members agreed to move this Agenda item to next month.

Love Beauty Pro & Institute – Proposed Advanced School

This item was tabled as the proposed school’s representative was not present.

Ms. Talbot left the meeting at or around 12 p.m.

Public Comment

Fernanda Macedo requested that the Board discuss lowering the requirements to open a Cosmetology school, including the number of students, chairs, sinks, and rules regarding use of space.

Pam Hamilton from Rob Roy Academy asked that the Board review the out-of-state licensing process for Instructors as the current process is too expensive and difficult.

Ms. Dorian asked about statistics on out-of-country applicants, including number of exam takers, exam performance, and how many temporary permit holders don’t take the exams at all.

Mr. Lawless said that the new regulations on out-of-country applicants require a transcript or two years’ work experience.

An attendee asked if a licensed school can teach advanced material such as microblading. The Board answered that material taught cannot be out of the scope of what the school is approved for.

Alan Conragan from the Massachusetts School of Barbering asked when the Master Barber exam would be removed and commented that Barbers should not be included with the Apprenticeship and Student Employee programs.

Cases, Investigative Conferences, Settlement Offers [Closed Session Pursuant to G.L. c. 112, § 65C]:

A MOTION was made by Catherine Tool, seconded by Amanda Donis, to exit public session and go into Investigative Conference [CLOSED per M.G.L. c. 112, § 65C to consider open cases, conduct investigative conferences and consider settlement offers] after which Open Meeting would **not** resume. The MOTION passed unanimously.

During the closed session, the Board voted to take the following actions:

Review of Cases and Staff Assignments:

2018-001104-IT-ENF	Refer to Prosecution
018-001154-IT-ENF	Refer to Prosecution
2018-001147-IT-ENF	Refer to Prosecution
2018-001178-IT-ENF	Refer to Prosecution
2018-001182-IT-ENF	Refer to Prosecution
2018-001191-IT-ENF	Dismiss
2018-001245-IT-ENF	Refer to Prosecution
2018-001252-IT-ENF	Dismiss

2018-001253-IT-ENF	Dismiss
2018-001330-IT-ENF	Refer to Prosecution
2019-200277-FI-ENF	Refer to Prosecution
2019-000048-IT-ENF	Refer to Prosecution

Adjourn

The meeting was adjourned at 1:46 p.m.

Documents Used During the Meeting:

Agenda
Draft Minutes of December 13, 2018 Open Meeting
Draft Minutes of January 8, 2019 2018 Open Meeting
Draft Policy – School Program Hours
Draft Policy – Apprenticeship and Student Employment

The above Minutes were approved at the
open meeting held on March 12, 2019.



Richard Lawless, Acting Executive Director