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Division of Professional Licensure
Board of Registration of Cosmetology and Barbering
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LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

MINUTES OF THE April 8th, 2021
PUBLIC BOARD MEETING

TIME: 9:30 a.m.
PLACE: Conference Call

PRESENT: Susan Viens (Chair), Joy Talbot (Vice-Chair), Heather Cohen, Nicole Corliss, Erin Pearson, Marian Saluto, and Cate Tool.

Jésus Nuñez and Iris Stowe were absent.

STAFF: Richard Lawless, Executive Director
Kristina Gasson, Board Counsel

The Meeting was called to order at **9:30 a.m.** by Ms. Viens. Pursuant to Governor Charles D. Baker's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s. 20, dated March 12, 2020, all board members and staff appeared telephonically or by videoconference.

Housekeeping and Conference Call Protocol:

Ms. Viens reviewed conference call protocol with meeting attendees.

Executive Director Report

Mr. Lawless provided an update on COVID-19 related business restrictions for salons and shops, and vaccine eligibility. He addressed recent staffing shortages and acknowledged that reaching the Board by phone is difficult right now, and encouraged licensees to communicate by email with the Board as much as possible, and that staff are working to return all phone calls.

Board Counsel Report:

Atty. Gasson gave an update on default decisions, and spoke about a new agency protocol requiring all policies to be approved by DPL before they can be implemented.

Minutes of the March 11, 2021 Public Meeting

After brief discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Pearson, to accept the draft minutes of the public meeting held March 11, 2021 as drafted.

Minutes of April 8, 2021, Board of Cosmetology and Barbering

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), and Ms. Tool (Yes).

The Motion passed 7-0.

Minutes of the March 11, 2021 Executive Session

After brief discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Corliss, to accept the draft minutes of the Executive Session held March 11, 2021 as drafted.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), and Ms. Tool (Yes).

The Motion passed 7-0.

Discussion

Proposed Advanced Courses – Stonhart Academy

The Board reviewed materials for proposed advanced courses from Stonhart Academy for the following subjects: Microcurrent, Facial Refresher, Sugaring, and Esthetic Modalities.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Talbot, to approve the courses with several discussed edits to the documentation.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), and Ms. Tool (Yes).

The Motion passed 7-0.

Appeal of Student Hours – Kevin Sencion

Kevin Sencion was in attendance to discuss his appeal of expired student hours from the Essex County Sherriff Department's Barber Program from 2006-2007. The Board was able to obtain proof of 748 hours earned at the Essex County Sherriff Department's Barber program from 2007.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Talbot, to remove the expiration of Mr. Sencion's barber hours.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), and Ms. Tool (Yes).

The Motion passed 7-0.

Appeal of Examination Results – Jenny Cao

The Board reviewed a written request from Jenny Cao to appeal her written cosmetologist exam.

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Talbot, to grant Ms. Cao’s exam appeal and allow her to move forward with the licensure process.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), and Ms. Tool (Yes).

The Motion passed 7-0.

Review of Aesthetics School Regulations – 240 CMR 5.00

The Board reviewed the proposed changes to Aesthetics Schools regulations from its discussion at the March 11th meeting. Atty. Gasson planned to research how other states are handling bond requirements for schools.

Review of Advanced School Regulations – 240 CMR 6.00

The Board reviewed 240 CMR 6.00 and discussed potential revisions to the regulations. Amongst the changes discussed were requiring schools to list equipment for each seminar being offered. The Board plans to review Manicuring School regulations (240 CMR 7.00) at the May meeting.

Expiration of Incomplete Education Policy

The Board discussed edits to its Expiration of Incomplete Education Policy, to allow schools more discretion on whether to accept expired hours.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Cohen, to approve the policy as amended.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), and Ms. Tool (Yes).

The Motion passed 7-0.

Proposed Policy on School Closures

The Board discussed a proposed policy to give guidance and establish protocols on school closures.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Cohen, to approve the policy.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), and Ms. Tool (Yes).

The Motion passed 7-0.

Ali May Student Hours Issues

The Board discussed issues with a former Ali May Academy student having difficulty in determining how many hours they had earned. The Board gave direction to staff to allow the student's new school to assess their education and allow them to complete the remaining hours of their 300 hour aesthetics program.

Public Comment

Janice Dorian from Mansfield Beauty School suggested that the Board should not overregulate schools because of isolated cases, as it is detrimental to schools that follow proper protocols. She also recommended that any new requirements the Board imposes should be able to be enforced.

A public attendee asked about how to request accommodations for an exam. Mr. Lawless explained that Pearson Vue has a specific website where all exam accommodation requests can be made.

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

A MOTION was made by Ms. Talbot, seconded by Ms. Tool, to adjourn the public meeting at **12:47 p.m.**, and to enter into **Closed Investigative Conference** to consider open cases, conduct investigative conferences, and consider settlement offers [closed session pursuant to G.L. c. 112, § 65C], and the Open Meeting would not resume.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), and Ms. Tool (Yes).

The Motion passed 7-0.

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

Settlement Offers

Minutes of April 8, 2021, Board of Cosmetology and Barbering

2020-205232-FI-ENF Guidance Given to Prosecutor

Review of Cases

2020-000595-IT-ENF Referred to Prosecution
2021-000047-IT-ENF Referred to Prosecution
2021-000095-IT-ENF Combine with 2021-200748-FI-ENF
2021-000138-IT-ENF Referred to Prosecution
2021-000148-IT-ENF Referred to Prosecution

Adjournment

A MOTION was made by Ms. Talbot, seconded by Ms. Pearson to adjourn.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), and Ms. Tool (Yes).

The Motion passed 7-0.

The meeting was adjourned at or around 1:13 p.m.

The above Minutes were approved at the open meeting held on May 13th, 2021.



Richard Lawless, Executive Director

Documents Used During the Meeting:

Agenda
Draft Minutes of March 11, 2021 Open Meeting
Proposed Advanced Course Documentation from Stonhart Academy
Correspondence from Kevin Sencion Regarding Appeal of Student Hours Expiration
Exam Appeal documentation for Jenny Cao
240 CMR 5.00 & 6.00
Policy on Expiration of Incomplete Education
Draft Policy on School Closures