

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING
MINUTES OF THE September 8, 2020 BOARD MEETING

TIME: 9:30 a.m.

PLACE: Conference Call

PRESENT: Susan Viens (Chair), Joy Talbot (Vice-Chair), Nicole Corliss, Erinn Pearson, Marian Saluto, Iris Stowe and Catherine Tool.
Amanda Donis (Secretary) and Jesus Nunez were absent.

STAFF: Richard Lawless, Executive Director
Deborah Cassano, Associate 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 for the meeting, and stated that votes would be conducted by roll call.

Executive Director Report

Mr. Lawless said that the Board's Temporary Work Authorization Policy is being reviewed by DPL and is not yet approved. He also reported that Pearson Vue has tested over 500 candidates in the first six weeks of testing centers reopening.

Board Counsel Report:

Atty. Gasson updated the Board on administrative matters including default decisions on cases and school closures.

Minutes of the August 11, 2020 Open Meeting

After brief discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Saluto, to accept the draft minutes of the open meeting held August 11, 2020.

The Chair called for a Roll call vote:

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

The Motion passed 7-0.

Discussion

Elevate Academy – Proposed Advanced School

The Board reviewed documentation for the proposed Advanced School Elevate Academy. Katherine Kapoutsos was present as a representative from the academy.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Talbot, to delegate to Board staff to receive and review updated documents reflecting the Board's discussed edits, and then to move forward with the final inspection and approval of the school.

The Chair called for a Roll call vote:

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

The Motion passed 7-0.

East Boston Beauty Academy – Change of Location

This item was postponed until a future meeting.

Appeal of Expired Student Hours – Karim Larry

Karim Larry appeared in front of the Board to appeal the expiration of his incomplete Barber education hours. Mr. Lawless said that Mr. Larry had to address an outstanding fine with the Board due to a disciplinary issue.

After discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Tool, to grant Mr. Larry's request to keep his expired hours, provided that the hours were verified from his previous school and he has paid the outstanding fine.

The Chair called for a Roll call vote:

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

The Motion passed 7-0.

Review of Regulations and Listening Session

After discussion, the Board agreed to hold a listening session on its current regulations on October 13th. Mr. Lawless will draft an announcement for the listening session that will be posted on the Board's website.

Revisions to Policy on Apprenticeship and Student Employment

The Board discussed revisions to its Policy on Apprenticeship and Student Employment. The Board requested the discussed changes to be incorporated into a new draft of the policy and for this revised version to be brought back to the Board at a future meeting.

Aesthetics Scope Inquiries

The Board discussed questions related to several procedures regarding scope of practice:

Hydroquinone topical cream – within the scope of aesthetics up to a 2% concentration. Any higher concentration is medical grade, and is outside the scope.

CO2 ablative laser resurfacing and rejuvenation – outside the scope of aesthetics

Hydrafacials – within the scope of aesthetics

Non-Ablative, Non-Vaporizing Laser Hair Removal – within the scope of electrology, but not aesthetics

Non-Ablative, Non-Vaporizing Laser Skin Rejuvenation – outside the scope of aesthetics

Non-Ablative, Non-Vaporizing Laser Tattoo Removal – outside the scope of aesthetics

Platelet-Rich Plasma Treatment (PRP) – outside the scope of aesthetics

Public Comment

Janice Dorian from Mansfield Beauty Schools provided comments on the apprentice policy. Marita Palavicini spoke about an issue with East Boston Beauty Academy.

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

A MOTION was made by Ms. Talbot, seconded by Ms. Tool, to adjourn the public meeting at **11:35am**, and to enter into **Executive Session** for the purposes of discussing character rather than competence; after which the Board will 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. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), Ms. Stowe (Yes) and Ms. Tool (Yes)

The Motion passed 7-0.

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

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

Settlement Offers

2019-001263-IT-ENF

Guidance Given to Prosecutor

2019-001262-IT-ENF	Guidance Given to Prosecutor
2020-203950-FI-ENF	Guidance Given to Prosecutor
2020-200246-FI-ENF	Guidance Given to Prosecutor
2020-203577-FI-ENF	Guidance Given to Prosecutor
2019-209196-FI-ENF	Dismissed
2020-203759-FI-ENF	Guidance Given to Prosecutor

Review of Cases

2020-000177-IT-ENF	Dismissed
2020-000501-IT-ENF	Dismissed with Advisory
2020-000407-IT-ENF	Dismissed
2020-000737-IT-ENF	Dismissed
2020-000560-IT-ENF	Sent to Prosecutions

A MOTION was made by Ms. Saluto, seconded by Ms. Talbot to adjourn. The motion passed unanimously.

Adjourn

The meeting was adjourned at or around 2:00 p.m.

The above Minutes were approved at the open meeting held on October 13, 2020.



Richard Lawless, Executive Director

Documents Used During the Meeting:

Agenda
Draft Minutes of August 11, 2020 Open Meeting
Documentation from Elevate Academy
Email from K. Larry regarding expired student hours
Draft revisions of Policy on Apprenticeship and Student Employment
Email from L. Winn regarding aesthetics scope questions