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Commonwealth of Massachusetts
Division of Occupational Licensure
Board of Registration of Cosmetology and Barbering
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REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

MINUTES OF THE October 28th, 2021
PUBLIC BOARD MEETING

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

PRESENT: Susan Viens (Chair), Joy Talbot (Vice Chair), Erinn Pearson Breedy, Heather Cohen, Nicole Corliss, Marian Saluto, Iris Stowe, and Cate Tool.

Jésus Nuñez was absent.

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

The Meeting was called to order at **9:31 a.m.** by Ms. Viens. 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 reported that the Board has hired new staff to assist with applications and communications.

Board Counsel Report:

Atty. Gasson reported that the Board's draft revisions of regulations 240 CMR 2.00 – 240 CMR 8.00 were sent to the agency's senior administration for review.

Minutes of the September 16th, 2021 Public Meeting

After discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Tool, to approve the public minutes of the September 16th meeting as amended.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Discussion

Proposed Apprentice Program: Lower Pioneer Valley Career Technical Educational Center

George Scobie was in attendance to present documentation for a proposed apprentice program from Lower Pioneer Valley Career Technical Educational Center.

After discussion, a MOTION was made by Ms. Tool seconded by Ms. Talbot, to delegate approval of the Board's requested program edits to Board staff and Ms. Corliss, and upon receipt of all required documentation, to approve the program.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Proposed Hybrid Manicuring Program: Chelmsford Beauty Academy

Vicki Nguyen from Chelmsford Beauty Academy was in attendance to present the school's request for a hybrid manicuring program.

After discussion, a MOTION was made by Ms. Talbot seconded by Ms. Corliss, to request the school to bring back the program documentation to next month's meeting with the requested revisions.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Review of Electrology Regulations – 240 CMR 9.00

The Board reviewed its current electrology regulations. Topics discussed included sink requirements, home electrology office requirements, and sanitation requirements.

The Board gave direction to staff to bring a redlined version of 240 CMR 9.00 reflecting the Board's recommended revisions to the next Board meeting, and the Board will plan to discuss 240 CMR 10.00 – 11.00 next month.

Out of Country Electrology Applications

The Board discussed setting a process for electrology license applicants who received their education and have work experience outside of the United States.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Talbot, to develop an Out of Country Electrology application that mirrors the process of the Out of Country Cosmetology application.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Exam Appeal – Rosita Bolognese

Rosita Bolognese was in attendance to discuss her appeal of her written exam results. After discussion, the Board determined it would need to discuss this topic in closed Executive Session and postponed the topic until the conclusion of the public meeting.

Barber Reciprocity

The Board discussed how an applicant for a barber license with a current license in a state that does not require 1000 hours in barbering school, and who has also not completed any educational program, could be licensed in Massachusetts. The Board determined that an applicant in this situation would not qualify for a license with the Board.

The Board gave direction to staff to draft a list of different reciprocity situations to bring to the Board for future discussion.

2022 Meeting Dates

The Board discussed its 2022 meeting calendar.

After discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Cohen, to schedule 2022 meetings on the second Thursday of each month.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Public Comment

None.

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 **1:00 p.m.**, and to enter into **Executive Session** for the purposes of discussing character rather than competence and to review sensitive medical information; and then to move into Closed Investigative Conference to consider open cases, review applications involving discipline, 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. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Saluto (Yes), Ms. Stowe (Yes), and Ms. Tool (Yes).

The Motion passed 8-0.

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

2021-202115-FI-ENF	Guidance Given to Prosecutor
2020-205468-FI-ENF	Guidance Given to Prosecutor

Review of Applications

2020-44-HD-OS-APP	Direction Given to Staff
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Review of Cases

2021-203268-FI-ENF	Referred to Prosecutions
2021-000909-IT-ENF	Referred to Prosecutions
2021-000893-IT-ENF	Referred to Prosecutions
2021-000834-IT-ENF	Dismissed with Advisory
2021-000788-IT-ENF	Referred to Prosecutions
2021-000581-IT-ENF	Dismissed

Adjournment

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

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

The meeting was adjourned at 2:07 p.m.

The above Minutes were approved at the
open meeting held on November 18, 2021.

A handwritten signature in black ink, appearing to read 'R. Lawless', with a long horizontal flourish extending to the right.

Richard Lawless, Executive Director

Documents Used During the Meeting:

Agenda

Draft Minutes of September 16, 2021 Open Meeting

Documentation from Proposed Apprentice Program from Lower Pioneer Valley Career
Technical Education Center

Documentation from Proposed Hybrid Manicuring Program from Chelmsford Beauty Academy
240 CMR 9.00

Email from Fernanda Nogueira on Out of Country Electrology Process