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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 June 9th, 2022**  
**PUBLIC BOARD MEETING**

**TIME:** 9:30 a.m.

**PLACE:** Conference Call

**PRESENT:** Joy Talbot (Chair), Cate Tool (Vice-Chair), Erinn Breedy, Heather Cohen, Nicole Corliss, and Marian Saluto.

Iris Stowe was absent.

**STAFF:** Richard Lawless, Executive Director  
Kristina Gasson, Deputy General Counsel for Boards and Hearings

The Meeting was called to order at **9:30 a.m.** by Ms. Talbot. All board members and staff appeared telephonically or by videoconference.

**Housekeeping and Conference Call Protocol:**

Ms. Talbot reviewed conference call and open meeting protocol with meeting attendees. Ms. Talbot announced to the meeting attendees that the meeting was being recorded by Anthony Clemente from the Massachusetts Association of Cosmetology Schools.

**Executive Director Report**

Mr. Lawless explained conference call protocol to attendees who wished to be recognized by the Chair to address the Board during the meeting.

**Board Counsel Report:**

Atty. Gasson spoke about the Open Meeting Law regarding limitations on public participation in Board meetings. She also reported that in-person meetings may resume in August unless additional legislation is passed.

**Minutes of the May 12th, 2022 Public Meeting**

Ms. Talbot proposed an edit on the eyelash extensions discussion.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Cohen, to approve the public minutes of the May 12th, 2022 meeting as amended.

The Chair called for a Roll call vote:

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

The Motion passed 6-0.

**Discussion**

**Update on Examinations**

Mr. Lawless confirmed that the agency's Strategic Sourcing Team has selected PSI's bid to provide examination services for the Board. Mr. Lawless and Division of Occupational Licensure staff will be meeting with PSI representatives to begin the process of implementing new exams and a new application process. He stated that the Board will be involved in approving exam content outlines and deciding on the option of remote proctoring, and that there will be additional opportunities after the exams are in place to further review content outlines with subject matter expert (SME) panels. He also added that PSI will be planning a presentation later in the summer with an overview of exam content outlines for schools and educators.

**Revisions to Policy on Apprenticeship and Student Employment**

The Board reviewed written comments on its recently-updated Policy on Apprenticeship and Student Employment. Ms. Talbot proposed an edit on the eyelash extensions discussion. Edits were suggested on clarifying that apprentice registrations also expired 120 days post-graduation, and permitting graduates who have completed their full program to be able to provide all services within their scope of practice while remaining under supervision.

The Chair recognized Anthony Clemente from New England Hair Academy to speak. Mr. Clemente recommended that shop-employed students should be permitted to provide all services they have received training in, and that the policy should be adjusted to allow students who graduated prior to the policy's approval to be able to apply for shop-employed student registrations. Atty. Gasson reiterated the agency's position with respect to the issuance of temporary permits.

The Chair recognized Jon Schmalting from Spa Tech Institute to speak. Mr. Schmalting asked when schools should submit shop-employed student applications, and how the Board will be handling instructor licensing. Mr. Lawless encouraged schools to submit applications immediately and stated that they must be signed by the school and student and submitted to the Board while the student is still enrolled in the program. Mr. Lawless stated that instructor examinations will be on hold until new examinations are available with PSI, and that schools

should work with existing populations of licensed instructors during the temporary period when examinations are not available.

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

The Chair called for a Roll call vote:

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

The Motion passed 6-0.

### **Proposed Curriculum Changes – Catherine Hinds Institute of Esthetics**

Kristen Magnell from Catherine Hinds Institute of Esthetics was in attendance to present an updated curriculum for the school's aesthetics program.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Corliss, to approve the updated curriculum.

The Chair called for a Roll call vote:

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

The Motion passed 6-0.

### **Eyelash Extensions**

The Board continued its discussion on eyelash extensions. Board members discussed multiple approaches to the issue, including reinforcing the Board's current requirement that eyelash extensions may only be provided by a licensed cosmetologist or aesthetician, as well as creating a limited license for eyelash services.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Corliss, to reinforce that the Board currently requires a cosmetologist or aesthetician license to provide eyelash extensions; to draft a notice for the Board's website to confirm this requirement and that all cosmetologists and aestheticians providing eyelash extensions must have proof of training in onsite where they practice, and that proper training must be obtained in a Board-approved school or program; and to create a subcommittee to explore an eyelash license, consisting of Ms. Tool, Ms. Corliss, and Ms. Breedy, with the intention of selecting additional members at its July meeting, including one eyelash extension vendor, two eyelash extension business owners/providers, and one advanced school specializing in eyelash extension courses.

The Chair called for a Roll call vote:

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

The Motion passed 6-0.

*Ms. Cohen left the meeting at or around 11:20 a.m.*

### **Requirements for Opening a School and Apprenticeship Pathway to Licensure**

The Board continued its discussion regarding a request from State Representative Mindy Domb and constituent Matt Haskins regarding a shortage of barbers in Western Massachusetts. Mr. Lawless provided several options for the Board's consideration, including reducing the chair/size requirements for new schools, and to create a shop-apprentice pathway to licensure. Mr. Lawless also stated that the Board would need to revisit its position that cosmetology programs and barbering programs may not share space between day and night programs in order for vocational schools in Western Mass with cosmetology clinics to consider offering post-secondary barbering programs.

The Chair recognized Tracy Casey from Rob Roy Academy to speak. Ms. Casey recommend that if the Board pursued a shop apprenticeship, that the mentor would need to be a licensed instructor. She also stated that Rhode Island offered a shop apprentice program, but that the length of the program made it difficult to complete, and that shops took advantage of apprentices. She recommended that the Board provide continuous oversight of apprenticeships to ensure that apprentices were protected.

The Chair recognized Janice Dorian from Mansfield Beauty Schools to speak. Ms. Dorian said that there is potential for a shop apprentice program to succeed, and that salons would be interested in this type of program.

*Ms. Breedy leaves the meeting at 12:15 p.m. Open Meeting is suspended until Ms. Breedy returns at 12:30 p.m.*

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Corliss, to explore the possibility of creating a shop apprentice program, with the requirement that the mentor must be a licensed instructor, and that there would be one-to-one ratio of mentors and apprentices.

The Chair called for a Roll call vote:

Ms. Talbot (Yes), Ms. Tool (Yes), Ms. Breedy (No), Ms. Corliss (Yes), and Ms. Saluto (Yes).

The Motion passed 4-1.

### **Review of 240 CMR 11.00 – Electrology Continuing Education**

Mr. Lawless reviewed the Board's previously discussed edits to 240 CMR 11.00, including removing the option to fully waive continuing education requirements, and also to revise the expired license process to reflect the Board's statute on licenses expired for more than three years.

After discussion, a MOTION was made by Ms. Saluto, seconded by Ms. Tool, to accept the proposed changes to 240 CMR 11.00, and to send the proposed changes to the Division of Occupational Licensure's senior administration for review.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

### **Request for Reinstatement of License – Rosa Barroso**

The Board reviewed a written petition from Rosa Barroso for reinstatement of her revoked cosmetologist license, and documentation from docket 20140916HS133-IT-ENF relating to the revocation.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Saluto, to allow Ms. Barroso to reinstate her cosmetologist license under a conditional license agreement, contingent upon Ms. Barroso filing a Lapsed Cosmetology Application and passing the Board's exam, with a two-year probation period on any issued licenses, and with the licensee remaining free of any additional violations during this period, and requiring a written petition to the Board to remove the probation.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

### **Public Comment**

Anthony Clemente from New England Hair Academy shared negative feedback he had received from individuals who had participated in shop apprenticeship programs and warned that in some instances shops can close mid-program.

Janice Dorian from Mansfield Beauty Schools said that Pearson Vue had not sent exam results to her school. Mr. Lawless would contact Pearson Vue regarding this. She also expressed support for the shop apprenticeship program, encouraging the Board to make sure it is executed properly. She also requested that the Board offer information on its website addressing how the temporary hold on exams affects student loan repayments.

Tracy Casey from Rob Roy Academy offered comments on eyelash extensions, asking that the Board not to change its requirements to make things easier for people who don't follow current regulations.

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

A MOTION was made by Ms. Tool, seconded by Ms. Corliss, to adjourn the public meeting at **12:58 p.m.**, and to enter into **Executive Session, closed per M.G.L. c. 30A, § 21(a)(1)**, for the purposes of discussing character rather than competence; and then to enter into **Quasi-Judicial Session, closed per M.G.L. c. 30A, § 18**, for the purposes of conducting Board deliberations on a final decisions; and then to move into **Closed Investigative Conference, closed session pursuant to G.L. c. 112, § 65C**, to consider open cases, conduct investigative conferences, and consider settlement offers, and the Open Meeting would not resume.

**Quasi Judicial Session CLOSED per M.G.L. c. 30A, § 18, Board Deliberations on Final Decisions**

During the closed Quasi-Judicial Session, the Board voted to take the following actions:

2022-000003-IT-ENF                      Determined terms of Final Decision and Order

**Closed Investigative Conference, closed session pursuant to G.L. c. 112, § 65C**

A MOTION was made by Ms. Tool, seconded by Ms. Saluto, to exit Quasi-Judicial Session and move into Closed Investigative Conference, closed session pursuant to G.L. c. 112, § 65C, to consider open cases, conduct investigative conferences, and consider settlement offers.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

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

**Settlements**

2021-204108-FI-ENF	Guidance given to Prosecutor
2021-205315-FI-ENF	Guidance given to Prosecutor
2021-202476-FI-ENF	Guidance given to Prosecutor
2021-204967-FI-ENF	Guidance given to Prosecutor
2021-204343-FI-ENF	Guidance given to Prosecutor

**Review of Cases**

2022-000462-IT-ENF	Referred to Prosecutions
2022-000408-IT-ENF	Referred to Prosecutions
2022-000354-IT-ENF	Referred to Prosecutions
2022-000482-IT-ENF	Dismissed
2021-000371-IT-ENF	Referred to Prosecutions
2022-000502-IT-ENF	Referred to Prosecutions
2022-000433-IT-ENF	Dismissed
2022-000432-IT-ENF	Dismissed
2022-000357-IT-ENF	Dismissed
2022-000262-IT-ENF	Referred to Prosecutions

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2022-000139-IT-ENF	Dismissed with Advisory
2022-000174-IT-ENF	Referred to Prosecutions
2021-000012-IT-ENF	Dismissed
2022-000298-IT-ENF	Dismissed
2021-000180-IT-ENF	Dismissed
2022-000218-IT-ENF	Referred to Prosecutions
2022-000138-IT-ENF	Referred to Prosecutions
2022-000487-IT-ENF	Dismissed
2022-000379-IT-ENF	Dismissed
2022-000343-IT-ENF	Dismissed
2022-000346-IT-ENF	Dismissed
2022-000238-IT-ENF	Dismissed
2021-000256-IT-ENF	Dismissed
2021-201624-FI-ENF	Referred to Prosecutions
2021-201627-FI-ENF	Referred to Prosecutions
2022-201653-FI-ENF	Referred to Prosecutions
2022-201663-FI-ENF	Referred to Prosecutions
2022-201690-FI-ENF	Referred to Prosecutions

### **Adjournment**

A MOTION was made by Ms. Corliss, seconded by Ms. Saluto to adjourn at 3:28 p.m.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

The above Minutes were approved at the open meeting held on July 14, 2022.



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Richard Lawless, Executive Director

### **Documents Used During the Meeting:**

Agenda

Draft Minutes of May 12, 2022 Open Meeting

Written Comments on Policy on Apprenticeship and Student Employment

Minutes of June 9, 2022, Board of Cosmetology and Barbering

Policy on Apprenticeship and Student Employment

Proposed Updated Curriculum from Catherine Hinds Institute of Esthetics

Written Comments on Eyelash Extensions

Letter from Representative Domb on Barber School Requirements

Apprenticeship Program Documentation from New Hampshire Board of Barbering,  
Cosmetology and Esthetics

Apprenticeship Program Documentation from California Board of Barbering and Cosmetology  
240 CMR 11.00

Petition to Reinstate License from Rosa Barroso

Final Decision and Order for 20140916HS133-IT-ENF