

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING
MINUTES OF THE June 9, 2020 BOARD MEETING

TIME: 9:30 a.m.

PLACE: Conference Call

PRESENT: Susan Viens (Chair), Joy Talbot (Vice Chair), Amanda Donis (Secretary),
Janice Dorian, Marian Saluto, Erinn Pearson, Iris Stowe and Catherine Tool.
Jésus Nuñez Absent.

STAFF: Richard Lawless, Executive Director
Deborah Cassano, Associate Executive Director
Lynn Read, 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.

Housekeeping:

Ms. Viens explained protocol for the conference call.

Executive Director Report

Mr. Lawless reiterated the conference call protocol introduced by Ms. Viens, and gave an update on the Commonwealth's Mandatory Safety Standards for reopening cosmetology businesses.

Executive Counsel Report

Atty. Read spoke about the enforcement of the Commonwealth's Mandatory Safety Standards.

Minutes of the March 10, 2020 Open Meeting

After brief discussion, a MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to accept the draft minutes of the open meeting held March 10, 2020.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Donis (Yes), Ms. Dorian (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), Ms. Stowe (Abstain), and Ms. Tool (Yes)

The Motion passed, with Ms. Stowe abstaining.

Minutes of the March 10, 2020 Executive Session

After brief discussion, a MOTION was made by Ms. Tool, seconded by Ms. Dorian, to accept the draft minutes of the Executive Session held March 10, 2020.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Abstain), Ms. Donis (Yes), Ms. Dorian (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), Ms. Stowe (Abstain), and Ms. Tool (Yes)

The Motion passed, with Ms. Stowe and Ms. Talbot abstaining. These minutes will be kept confidential until the purpose of the Executive Session expires.

Minutes of the April 14, 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 April 14, 2020 as written.

The Chair called for a Roll call vote:

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

The Motion passed unanimously.

Minutes of the May 12, 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 May 12, 2020 as written.

The Chair called for a Roll call vote:

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

The Motion passed unanimously.

Discussion

Extension of Apprenticeship and Shop-Employed Student Registrations

The Board discussed the possibility of extending apprenticeship and shop-employed student registrations to allow students who are waiting to take their exams to be able to work. No formal action was taken.

Testing Center Reopening

Barbara Sprindis from Pearson Vue gave the Board an update on the reopening of testing centers and capacity limitations due to mandatory safety standards. The Board discussed ways to handle the backlog of testing candidates, including the possibility of additional testing sites.

The Board gave direction to staff to draft language to extend apprentice and shop-employed student registrations to allow graduates to work while waiting to take their exams, and to bring this language to an emergency Board meeting on June 23, 2020.

Guidelines for Opening a School

Mr. Lawless presented an updated version of the Guidelines for Opening a School that incorporated the Board's 2019 regulation changes. After a brief discussion, a MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to approve the updated guidelines.

The Chair called for a Roll call vote:

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

The Motion passed unanimously.

Topic Not Reasonably Anticipated

Atty. Read presented a request for reinstatement from a licensee whose license was revoked due to failure to pay a Board fine. The Board discussed the process for handling requests for reinstatements and the volume of these requests. Thereafter, a MOTION was made by Ms. Talbot, seconded by Ms. Saluto, to delegate to Board staff the reinstatement of licenses revoked for failure to pay standard fines, and giving staff the discretion to bring cases alleging more egregious violations to the Board for decision whether to reinstate.

The Chair called for a Roll call vote:

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

The Motion passed unanimously.

Public Comment

A salon owner asked the Board to provide more detailed guidance on the Reopening Advisory Board's Mandatory Safety Standards for salons. Board members and staff said that the Safety Standards were issued by the Governor's Reopening Advisory Board, and not by the Board of Cosmetology & Barbering, but that salon owners and workers can send their questions to the Cosmetology Board and they will try to obtain answers from the Administration.

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

A MOTION was made by Ms. Talbot, seconded by Ms. Saluto, to go into **Investigative Conference** for the purposes of discussing Settlements and Open Cases, and to not resume public session.

The Chair called for a Roll call vote:

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

Motion passed unanimously.

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

Settlement Offers

2019-209183-FI-ENF	Guidance given to Prosecutor
2019-206902-FI-ENF	Guidance given to Prosecutor

Review of Cases

2020-000532-IT-ENF	Referred to Prosecution
2020-000537-IT-ENF	Referred to Prosecution
2020-000498-IT-ENF	Referred to Prosecution
2020-000432-IT-ENF	Referred to Prosecution
2020-000177-IT-ENF	Referred to Prosecution
2020-000418-IT-ENF	Dismissed
2020-000401-IT-ENF	Dismissed with Advisory
2020-000332-IT-ENF	Dismissed
2020-000083-IT-ENF	Dismissed
2020-000026-IT-ENF	Referred to Prosecution
2020-000519-IT-ENF	Referred to Prosecution
2020-000225-IT-ENF	Referred to Prosecution
2020-000226-IT-ENF	Referred to Prosecution
2020-000101-IT-ENF	Dismissed
2019-000533-IT-ENF	Dismissed

A MOTION was made by Ms. Dorian, second by Ms. Talbot to Adjourn

Adjourn

The meeting was adjourned at **1:26 p.m.**

The above Minutes were approved at the open meeting held on July 14, 2020



Richard Lawless, Executive Director

Documents Used During the meeting:

Agenda

Draft Minutes of 3.10.2020 Open Meeting

Draft Minutes of 3.10.2020 Executive Session

Draft Minutes of 4.14.2020 Open Meeting

Draft Minutes of 5.12.2020 Open Meeting

Proposed Revised Guidelines for Opening a School