

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING
MINUTES OF THE November 10, 2020 PUBLIC BOARD MEETING

TIME: 9:30 a.m.

PLACE: Conference Call

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

Jésus Nuñez was 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 with meeting attendees.

Executive Director Report

Mr. Lawless thanked everyone who attended the Board's October listening session and who contributed comments to the Board on regulations. He said the Board will begin to review the received comments and go through each section of the regulations.

Board Counsel Report:

Atty. Gasson also thanked the attendees of the October public listening session and reiterated that the Board will begin to review all sections of its regulations.

Minutes of the October 6, 2020 Public Meeting

After brief discussion, a MOTION was made by Ms. Donis, seconded by Ms. Pearson, to accept the draft minutes of the public meeting held October 6, 2020.

The Chair called for a Roll call vote:

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

The Motion passed.

Minutes of the October 13, 2020 Public Meeting

After brief discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Donis, to accept the draft minutes of the public meeting held October 13, 2020.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Discussion

Pearson Vue Cosmetology Examination Cut Score Recommendation

Barbara Sprindis, Lauren Piotti, Linan Sun, and James Ingrisone from Pearson Vue met with the Board to review the conclusions of subject matter expert panel on evaluating and adjusting the cut score for the cosmetology exam.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Talbot, to approve the subject matter expert panel's recommended cut score adjustment.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Denial of Electrology Office and Electrology Office Regulations

Marie O'Connell addressed the Board about a recent denial of an electrology office at her residence. Atty. Gasson and Mr. Lawless explained that the denial was issued because the proposed office did not meet the Board's regulations on adequate separation of the living quarters from the treatment room. Ms. O'Connell asked for the Board's regulations on home electrology offices to be revised to be clearer. The Board will review its electrology office regulations at a future meeting. No formal action was taken.

Appeal of Salon Application Denial

A MOTION was made by Ms. Talbot, seconded by Ms. Tool, to postpone the appeal of a salon application denial.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Love Beauty Pro – Proposed Advanced School

Amy Aarons from Love Beauty Pro was present to discuss the documentation for her proposed Advanced School. The Board reviewed the submitted documentation for the school and course materials.

After discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Corliss, to delegate authority to Ms. Tool and Board staff to review the course outlines and then 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. Donis (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), Ms. Stowe (Yes) and Ms. Tool (Yes)

The Motion passed 8-0.

Examination Appeal – Lucy Solaqa

Ms. Solaqa was present to discuss her appeal of her written examination results, having met the Board’s criteria for applying for an exam appeal.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Pearson, to accept the appeal and continue with the licensure process.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Review of Board Regulations – 240 CMR 2.00

The Board reviewed section 240 CMR 2.00 of its regulations, discussing the demonstrator license, reciprocity for instructors, the lecturer license, and reciprocity for out-of-state and out-of-country applicants. The Board also discussed the written and verbal comments offered by the public at the October listening session. No formal action was taken.

Public Comment

Leslie Sica, a licensed electrologist, said that schooling for electrology is rigorous and should not be substituted for work experience or a passing examination score when considering reciprocity candidates with less than 1100 hours of education.

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 **12:32 p.m.**, and to enter into **Executive Session** for the purposes of discussing character rather

than competence; after which the Board will enter into Quasi-Judicial Session to determine the terms of a Final Decision and Order; and then 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. Donis (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes), Ms. Stowe (Yes) and Ms. Tool (Yes)

The Motion passed 8-0.

Quasi-Judicial Session [CLOSED per M.G.L. c. 30A, § 18]

Ms. Tool was recused from the discussion and left the meeting.

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

2019-001009-IT-ENF Determined terms of Final Decision and Order

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

A MOTION was made by Ms. Talbot, seconded by Ms. Corliss, to Exit Quasi-Judicial Session and move into Closed Session for the purposes of discussing new and open cases, and considering settlement offers.

The Chair called for a Roll call vote:

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

The Motion passed 7-0.

Ms. Tool rejoined the meeting.

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

Settlement Offers

2020-202946-FI-ENF Guidance Given to Prosecutor
2019-207237-FI-ENF Guidance Given to Prosecutor
2019-001365-IT-ENF Guidance Given to Prosecutor

Review of Cases

2020-000583-IT-ENF	Dismissed
2020-000219-IT-ENF	Dismissed
2020-001178-IT-ENF	Referred to Prosecution
2020-000979-IT-ENF	Referred to Prosecution
2020-001065-IT-ENF	Referred to Prosecution
2020-001042-IT-ENF	Dismissed
2020-000976-IT-ENF	Tabled
2020-000750-IT-ENF	Referred to Prosecution

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

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Adjourn

The meeting was adjourned at or around 3:45 p.m.

The above Minutes were approved at the open meeting held on December 8, 2020.



Richard Lawless, Executive Director

Documents Used During the Meeting:

Agenda

Draft Minutes of October 6, 2020 Open Meeting

Draft Minutes of October 13, 2020 Open Meeting

Letter from M. O'Connell on Electrology Office Denial and Board Denial Letter

Documentation from Proposed Advanced School Love Beauty Pro

Examination Appeal for L. Solaqa

Draft Revisions, 240 CMR 2.00