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Division of Occupational Licensure
Board of Registration of Cosmetology and Barbering
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LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

MINUTES OF THE October 13
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, Cassia Gilroy, Marian Saluto, and Iris Stowe.

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.

Executive Director Report

Mr. Lawless confirmed that PSI has started accepting applications for examination and examinations are available for cosmetology, aesthetics, and manicuring. He also spoke of recent staff departures which have affected Board operations.

Board Counsel Report:

Atty. Gasson did not have anything specific to report and indicated she would make comments during the discussion section of the meeting.

Minutes of the September 8, 2022 Public Meeting

After discussion, a MOTION was made by Ms. Corliss, seconded by Ms. Breedy, to approve the public minutes of the September 8, 2022 meeting as drafted.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Discussion

PSI Exam Implementation

Mr. Lawless gave an update on the exam transition with PSI, confirming that applications were being accepted for cosmetology, aesthetics and manicuring exams, and provided an overview of the application process. He encouraged candidates to download the Candidate Information Bulletins for their specific exam on PSI's new Massachusetts Cosmetology website to find specific information on their exams, including content outlines and sample questions.

He also announced that PSI has reached an arrangement with the Board to waive re-take fees during the early stages of the exam, and that pass rates would be monitored by PSI for any significant issues. He explained that PSI is still working on examination authorizations for instructors, lapsed candidates with licenses expired over three years, and reciprocity applicants. No formal action was taken.

The Chair recognized Anthony Clemente from New England Hair Academy, who asked if instructors would need to take multiple instructor exams for multiple instructor licenses. Mr. Lawless answered that the Board could consider this topic at a future meeting.

Partial Exam Passes

Mr. Lawless provided statistics to the Board on the number of candidates who passed one part of their exams with Pearson Vue prior to the discontinuing of the exams.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Corliss, to honor all partial exam passes from Pearson Vue's exams from January 1, 2020 to the present with new vendor PSI.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Mr. Lawless will follow up with PSI on a process for candidates to submit their partial pass information when applying to take their exam.

Proposed Aesthetics School – Lawrence Training School

Maria Alcantara was in attendance representing Lawrence Training School's application for an aesthetics school license. The Board reviewed new documentation re-submitted by the school and provided feedback and proposed edits to the documents.

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Corliss, to delegate final evaluation and approval of documents, incorporating discussed edits, to Ms. Tool and Board staff, and upon approval of all documentation and fulfillment of all other requirements, to approve the school.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Proposed New Location – Mafy's Nail Academy

Eduardo and Daniel Latorre were in attendance representation Mafy's Nail Academy's application for a new location. The Board reviewed documentation submitted by the school and provided feedback and proposed edits to the documents.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Cohen, to delegate final evaluation and approval of documents, incorporating discussed edits, to Board staff, and upon approval of all documentation and fulfillment of all other requirements, to approve the school.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Electrology School Graduates and Shop-Employed Student Supervision Requirements

The Board discussed correspondence sent by the Massachusetts Association of Electrologists requesting the Board permit supervision of Electrology Shop-Employed Students by phone or videoconferencing.

The Board expressed concerns over the liability of not having a supervisor onsite, and declined to amend its supervision requirements for Electrology. The Board also noted that candidates who have already graduated with 1100 hours could be licensed in a different state and then apply for reciprocity in Massachusetts without needing to take an exam. No formal action was taken.

Proposed Cosmetology Program for Special Needs Students – Crest Collaborative

Nagat Nasra from Crest Collaborative was in attendance to discuss a proposed cosmetology program for special needs students. Ms. Nasra explained that typical class sizes for special needs

students were significantly smaller than the 25 stations needed for a cosmetology school approval, and requested an exemption from the Board's equipment/chair requirements for a program serving special needs students.

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Tool, to continue this discussion at the Board's next meeting with a proposed regulation change for an equipment/chair exemption for programs serving special needs students.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Proposed Updates to Policy on Apprenticeship and Student Employment

Mr. Lawless presented several edits to the Board's Policy on Apprenticeship and Student Employment, to begin removing special provisions for shop-employed student registrations, now that examinations have resumed. Under the proposed changes, the Policy would no longer permit cosmetology, aesthetics, and manicuring school graduates to apply for a shop-employed student permit. Edits also included an extension on any expired barber shop-employed student registrations through February 1, 2023, and expired Electrology shop-employed student permits through March 1, 2023. The Board also proposed eliminating shop-employed aesthetics student permits entirely.

After discussion, a MOTION was made by Ms. Corliss, seconded by Ms. Cohen, to approve the proposed edits, and to remove any provisions for shop-employed aesthetics student registrations from the Policy entirely.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

Proposed Updates to Temporary Permit Policy

Mr. Lawless presented several edits to the Board's Policy on Temporary Permits, to put end dates on the issuance on permits for instructors, lapsed candidates, and reciprocity candidates corresponding to the availability of exams for each license type.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Gilroy, to approve the proposed edits.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

2023 Meeting Dates

The Board discussed 2023 meeting dates.

After discussion, a MOTION was made by Ms. Saluto, seconded by Ms. Cohen, to continue the Board's schedule of meeting on the second Thursday of each month in 2023.

The Chair called for a Roll call vote:

Ms. Talbot (Yes), Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Stowe (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. Tool, seconded by Ms. Cohen, to adjourn the public meeting at **11:21 a.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 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.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

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

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

Settlements

2021-000852-IT-ENF

Guidance given to Prosecutor

2021-001060-IT-ENF

Guidance given to Prosecutor

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2021-001091-IT-ENF Dismissed
2021-001068-IT-ENF Guidance given to Prosecutor

Review of Cases

2022-000856-IT-ENF Dismissed with Advisory
2022-000837-IT-ENF Referred to Office of Prosecutions
2022-000811-IT-ENF Referred to Office of Prosecutions
2022-000799-IT-ENF Referred to Office of Prosecutions
2022-000746-IT-ENF Referred to Office of Prosecutions
2022-000738-IT-ENF Dismissed with Advisory
2022-000800-IT-ENF Dismissed
2022-000638-IT-ENF Dismissed
2022-000753-IT-ENF Dismissed with Advisory

Adjournment

A MOTION was made by Ms. Tool, seconded by Ms. Gilroy, to adjourn at 2:27 p.m.

The Chair called for a Roll call vote:

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

The Motion passed 8-0.

The above Minutes were approved at the open meeting held on November 10, 2022.



Richard Lawless, Executive Director

Documents Used During the Meeting:

Agenda
Draft Minutes of September 8, 2022 Open Meeting
Aesthetics Program Documentation from Lawrence Training School
Manicuring Program Documentation from Mafy's Nail Academy
Letter from Massachusetts Association of Electrologists
Cosmetology Program Documentation from Crest Collaborative
Board Policy on Apprenticeship and Student Employment

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Board Policy on Temporary Permits