



**MAURA HEALEY**  
GOVERNOR

**KIM DRISCOLL**  
LIEUTENANT GOVERNOR

**YVONNE HAO**  
SECRETARY, EXECUTIVE OFFICE  
OF ECONOMIC DEVELOPMENT

**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Board of Registration of Cosmetology and Barbering**  
1000 Washington Street, Suite 710  
Boston, Massachusetts 02118

**LAYLA R. D'EMILIA**  
UNDERSECRETARY, CONSUMER  
AFFAIRS AND BUSINESS  
REGULATION

**SARAH R. WILKINSON**  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**MINUTES OF THE June 8, 2023**  
**PUBLIC BOARD MEETING**

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

**PLACE:** Conference Call / Virtual Meeting

**PRESENT:** Joy Talbot (Chair), Erinn Breedy, Heather Cohen, Nicole Corliss, Cassia Gilroy

**ABSENT:** Cate Tool (Vice-Chair), Marian Saluto, Iris Stowe

**STAFF:** Richard Lawless, Executive Director  
Kristina Gasson, Deputy General Counsel

The Meeting was called to order at **9:40 a.m.** by the Chair. All board members and staff appeared telephonically or by videoconference.

Mr. Lawless informed Board members and attendees that the public meeting was being recorded.

**Housekeeping and Conference Call Protocol:**

The Chair reviewed conference call and open meeting protocol with meeting attendees.

**Executive Director Report**

Mr. Lawless reported that the Board is continuing to work through technical issues with PSI, but confirmed that virtually all licenses are now being generated shortly after candidates pass their exams. He also reminded attendees of an upcoming PSI Town Hall meeting on May 16.

**Board Counsel Report:**

Atty. Gasson was in attendance to cover for Atty. Dalton.

**Minutes of the May 11, 2023 Public Meeting**



After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Gilroy, to approve the public minutes of the May 11, 2023 meeting as drafted.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

#### **Minutes of the April 6, 2023 Eyelash Subcommittee Public Meeting**

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Corliss, to approve the public minutes of the April 6, 2023 subcommittee meeting as drafted.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

#### **Minutes of the May 4, 2023 Eyelash Subcommittee Public Meeting**

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Corliss, to approve the public minutes of the May 4, 2023 subcommittee meeting as drafted.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

#### **Discussion**

##### **PSI Exam Implementation**

The Board reviewed examination data from PSI on exam pass rates and exam performance by subject area. Board members continued to express concerns over exam pass rates.

After discussion, A MOTION was made by Ms. Cohen, seconded by Ms. Corliss, to lower the barber exam cut scores to 65 from 70.

The Chair called for a Roll call vote:

Ms. Breedy (Abstain), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), and Ms. Talbot (Yes).

The Motion passed 4-0, with one abstention.

The Chair recognized Frank Zona, who supported lowering the cut score for barber exams, and suggested that PSI allow test takers the ability to provide feedback to PSI on exams.

##### **Proposed Advanced IPL Course – Diva K Advanced Aesthetics Institute**

Edivaneia Kwon from Diva K Advanced Aesthetics Institute was in attendance to discuss the school's submission of an advanced IPL course.

Board members provided suggestions and revisions to the documents presented.

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Corliss, to delegate final review of the course documents to Ms. Tool and Board staff, and upon receipt of revised documentation incorporating the Board's recommended changes, to approve the course.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

### **Proposed Advanced School – Juvenex Esthetics Advanced Academy**

Yessica Rodriguez from Juvenex Esthetics Advanced Academy was in attendance to discuss their proposed advanced school.

Board members provided suggestions and revisions to the documents presented, and asked Ms. Rodriguez to bring the updated documentation back to the Board's next meeting.

### **Proposed Manicuring School Ownership Change – JK Nails Academy to TH Beauty Nail Academy**

Myai Emery-Le from TH Beauty Nail Academy was in attendance to discuss the school's proposed ownership change from JK Nails Academy.

Board members provided suggestions and revisions to the documents presented.

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Corliss, to delegate final review of the school documents to Board staff, and upon receipt of revised documentation incorporating the Board's recommended changes, completion of a final inspection, and after all other requirements are met, to approve the school.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

### **Proposed Advanced School – Love's Beauty**

LaToya Gillyard from Love's Beauty was in attendance to discuss their proposed advanced school.

Board members provided suggestions and revisions to the documents presented, and asked Ms. Gillyard to bring the updated documentation back to the Board's next meeting.

### **Policy on Apprenticeship and Student Employment**

The Board discussed potential revisions to its Policy on Apprenticeship and Student Employment to permit apprentices and shop-employed students to begin shampooing in a shop after completing 25 hours in school.

Board members expressed concerns that 25 hours was not sufficient for educating students in shampooing.

The discussion was tabled.

### **Application from Ukraine**

The Board reviewed an Out of Country application for Antonina Sperkach, with experience from Ukraine. Due to the ongoing situation in Ukraine, application documentation was limited.

After discussion, a MOTION was made by Ms. Gilroy, seconded by Ms. Cohen, to allow the applicant to take the exam, but also to inform them on the scope of practice of aesthetics in Massachusetts.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

### **Revision to 240 CMR 4.06 – Crossover Education**

The Board discussed revisions to its regulations on the number of credit hours permitted for a licensed cosmetologist enrolling in a barber program, and vice versa.

The Chair recognized Frank Zona, who supported increasing the number of hours that can be credited, citing current workforce shortages.

After discussion, a MOTION was made by Ms. Gilroy, seconded by Ms. Corliss, to propose revised regulation language permitting credit of up to 650 hours for a cosmetologist enrolling in a barber program, and a barber enrolling in a cosmetology program.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

### **Policy on Services Outside the Scope of Practice**

A MOTION was made by Ms. Cohen, seconded by Ms. Corliss, to table this discussion for a future meeting.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

### **Board Complaint Process**

The Board reviewed a letter from Frank Zona regarding concerns with the Board's and the Division of Occupational Licensure's process for receiving complaints. The Board discussed the possibility of requiring schools to provide information in their catalog about filing a complaint,

and asked for Mr. Zona's letter to be included in its future discussion on school document checklists.

### **Public Comment**

Eutrina Holley-Hodges shared concerns with the Board on the proliferation of home salons and salon suites and the difficulty of staffing salons.

Frank Zona noted that potential new federal rules on gainful employment may negatively affect Massachusetts schools.

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

A MOTION was made by Ms. Cohen, seconded by Ms. Gilroy, to adjourn the public meeting at **12:40 p.m.**, and to enter into Executive Session pursuant to Massachusetts General Laws chapter 30A, Section § 21(a)(1) to discuss individuals' character rather than competence; then to enter into **Quasi-Judicial Session, closed per M.G.L. c. 30A, § 18**, for the purposes of conducting Board deliberations on 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.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

### **Quasi-Judicial Session, closed per M.G.L. c. 30A, § 18**

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

2020-000611-IT-ENF	Determined Final Decision and Order
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A MOTION was made by Ms. Gilroy, seconded by Ms. Cohen, to exit Quasi-Judicial Session and 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.

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

### **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**

2023-000151-IT-ENF	Dismiss with an Advisory
2022-205226-FI-ENF	Guidance given to Prosecutor
2022-205126-FI-ENF	Guidance given to Prosecutor
2022-205857-FI-ENF	Guidance given to Prosecutor

**Adjournment**

A MOTION was made by Ms. Cohen, seconded by Ms. Cohen, to adjourn the meeting at 2:01 p.m..

The Chair called for a Roll call vote:

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

The Motion passed 5-0.

The above Minutes were approved at the open meeting held on July 13, 2023.

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

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Richard Lawless, Executive Director

**Documents Used During the Meeting:**

Agenda

Draft Minutes of May 12, 2023 Open Meeting

Draft Minutes of April 6, 2023 Eyelash Subcommittee Meeting

Draft Minutes of May 4, 2023 Eyelash Subcommittee Meeting

PSI Exam Data

Documentation from Diva K Advanced Aesthetics Institute

Documentation from Juvenex Esthetics Advanced Academy

Documentation from TH Nails Academy

Documentation from Love's Beauty Advanced School

Board Policy on Apprenticeship and Student Employment

Licensure Application from Antonina Sporkach

240 CMR 4.06

Letter on Complaint Process from Frank Zona