

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING
MINUTES OF THE APRIL 10, 2018 BOARD MEETING

TIME: 9:30 a.m.

PLACE: 1000 Washington St.
Room 1D
Boston, MA 02118

PRESENT: Susan Viens (Chair), Joy Talbot (Vice-Chair), Michael Gayzagian (Secretary), Marian Saluto, Nan Pham, Amanda Donis, Catherine Tool, Janice Dorian

Jésus Nuñez was absent.

STAFF: Brian Bialas, Executive Director
Lynn Read, Board Counsel

The meeting was called to order at 9:39 AM by Ms. Viens (Chair).

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

A MOTION was made by Ms. Saluto, seconded by Mr. Gayzagian, to enter into Executive Session for the purpose of discussing character rather than competence. The Chair announced that the Open Meeting would resume after Executive Session.

A Roll Call vote was taken: Ms. Dorian (Yes); Ms. Tool (Yes); Mr. Gayzagian (Yes); Ms. Talbot (Yes); Ms. Viens (Yes); Ms. Saluto (Yes); Ms. Pham (Yes); Ms. Donis (Yes).

The MOTION Passed 8-0.

Ms. Pham left the meeting during Executive Session at 10:55 a.m. and did not return.

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

During the Executive Session, the Board took a Roll Call vote to enter closed Investigative Conference pursuant to G.L. c. 112, § 65C, during which the Board voted to take the following actions:

Settlements:

20160804BS007-IT-ENF	Guidance given to prosecutor
20160524HS311-IT-ENF	Guidance given to prosecutor
20130924HD054-IT-ENF	Guidance given to prosecutor
20160518HD056-IT-ENF	Guidance given to prosecutor

Open Session resumed at or around 11:55 a.m.

Housekeeping: Ms. Viens explained the emergency exit procedures.

Read and Accept the Public Minutes of Meeting Held February 13, 2018.

Members agreed to move this item to the end of the agenda.

Executive Director's Report

Mr. Bialas notified the members that travel reimbursement forms must be submitted by April 30.

School Hour Credit for Student Shadowing in Shops

Phyllis Gertsios from Alexander Academy appeared before the members with a presentation on students shadowing instructors and other licensees to earn hours of school credit.

Ms. Dorian and Ms. Gertsios discussed whether schools have the authority to allow students to gain course credit for time spent on activities outside the school. Ms. Gertsios interpreted the regulations in a way that would allow credits to be given.

Members discussed the current regulations and stated that the Board has consistently interpreted its regulations to prohibit giving credit for time spent outside school premises, and came to a consensus to not allow such hour credit.

A MOTION was made by Ms. Talbot, seconded by Ms. Saluto, to prohibit hour credit from being given by schools for activities outside school premises.

The MOTION Passed 5-0-2. Ms. Tool and Ms. Donis abstained.

Flavia Leal Institute Proposed Advanced Courses

Paula Fallon, Director of Education, appeared before the Board to present the course proposals.

A MOTION was made by Ms. Tool, seconded by Ms. Dorian, to approve Flavia Leal's Micro Needling course.

The MOTION Passed 6-0-1. Ms. Saluto abstained.

No vote was take on Flavia Leal's proposal for a Dermaplaning course.

A MOTION was made by Ms. Tool, seconded by Ms. Dorian, to table the Flavia Leal course on Body Contouring with Machines.

The MOTION Passed 7-0.

A MOTION was made to approve the Flavia Leal Master Esthetics courses.

The MOTION Passed 7-0.

Lunch 1:08 p.m.; Return 1:52 p.m.

LaBluh Advanced Esthetics Institute Proposed Courses

A MOTION was made by Ms. Tool, seconded by Mr. Gayzagian, to approve all Makeup courses proposed by LaBluh Advanced Esthetics Institute for licensed Aestheticians and Cosmetologists only.

The MOTION Passed 7-0.

A MOTION was made by Ms. Saluto, seconded by Ms. Talbot, to approve LaBluh's Aromatherapy course for skin care only and for licensed Aestheticians and Cosmetologists only.

The MOTION Passed 7-0.

A MOTION was made by Ms. Talbot, seconded by Mr. Gayzagian, to approve LaBluh's Waxing course for licensed Aestheticians and Cosmetologists only.

The MOTION Passed 7-0.

A MOTION was made by Ms. Talbot, seconded by Mr. Gayzagian, to approve LaBluh's Eyelash Extension course with contraindications included and for licensed Aestheticians and Cosmetologists only.

The MOTION Passed 7-0.

After discussion, a MOTION was made by Ms. Saluto, seconded by Mr. Gayzagian to approve LaBluh's Electrotherapy course with deletions, for licensed Aestheticians and Cosmetologists only.

The MOTION Passed 7-0.

A MOTION was made by Ms. Tool, seconded by Ms. Dorian, to approve the LaBluh Skin Sciences course for licensed Aestheticians and Cosmetologists only.

The MOTION Passed 7-0.

Draft Policy on Minimally Invasive Aesthetics Services

After a brief discussion, a MOTION was made by Ms. Donis, seconded by Ms. Talbot to approve the Policy with corrections.

The MOTION Passed 7-0.

Expiration Period for Passed Written and Practical Exams

A MOTION was made by Ms. Talbot, seconded by Ms. Saluto to accept appeals of the expiration of exam results. The MOTION Passed 7-0.

Approval for Salon Applications:

A MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to approve the shop application for Van Nguyen. The MOTION Passed 7-0.

Request for Reinstatement:

After discussion, a MOTION was made by Mr. Gayzagian, seconded by Ms. Talbot to deny reinstatement of Ana Rodriguez's license for Annie's Beautiful Hair Salon. The MOTION Passed 7-0.

Public Comment:

Ms. Hamilton of Rob Roy Academy asked the Board to review the process for out of state instructor applications. Ms. de Azeredo of LaBluh asked the Board to investigate teaching of prohibited practices by some schools. Shana Lavender discussed her inability to renew her instructor license. Luke Howley from Sola Salon Studios discussed the difficulty some of his tenants are having getting salon suites licensed in Massachusetts.

Minutes of February 13, 2018 Open Meeting:

Members discussed the past discrepancy between the January 9, 2018 and the February 13, 2018 public minutes concerning fines for operating without the proper licensing. The Members discussed their recollection of events and how they were recorded in the minutes. The members decided that the minutes should reflect the following:

- \$1000 fine for an unlicensed Salon for the first offense
- \$500 fine for unlicensed individuals for the first offense.
- \$200 fine to the owner for each unlicensed individual found to be working in the salon (\$100 for unlicensed employee and \$100 for aiding and abetting unlicensed practice)

A MOTION was made by Ms. Talbot, seconded by Ms. Donis to accept the February 13, 2018 Public Minutes as amended. The MOTION Passed 7-0.

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 Mr. Gayzagian, to exit public session and go into executive session for the purpose of discussing character rather than competence. The Chair

announced that after this Executive Session, the Board would go into a closed Investigative Conference, and the Open Meeting would not resume before the Board adjourned for the day.

A Roll Call vote was taken: Ms. Dorian (Yes); Ms. Tool (Yes); Mr. Gayzagian (Yes); Ms. Talbot (Yes); Ms. Viens (Yes); Ms. Saluto (Yes); Ms. Donis (Yes).

The MOTION Passed 7-0.

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

During the closed Investigative Conference under G.L. c. 112, § 65C, the Board voted to take the following actions:

2017001174-IT-ENF

Guidance given to Prosecutions

Adjourn

The meeting was adjourned at approximately 5:00 p.m.

Documents Used During the Meeting:

Agenda

Draft Minutes of February 13, 2018 Open Meeting

Draft Policy on Minimally Invasive Aesthetics Services

Course Proposals by Flavia Leal Institute

Course Proposals by LaBluh Advanced Esthetics Institute

The above Minutes were approved at the open meeting held on May 8, 2018.



Brian Bialas, Executive Director