

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING

DRAFT MINUTES OF THE September 11, 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), Janice Dorian, Amanda Donis, Iris Stowe, Erin Pearson. Catherine Tool arrived at or around 10:55 a.m. Marian Saluto and Jesus Nunez were absent.

STAFF: Richard Lawless, Acting Executive Director
Lynn Read, Board Counsel

The meeting was called to order at 9:40 by Ms. Viens (Chair)
Ms. Viens asked the Board and attendees to take a moment and remember 9/11.

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

A MOTION was made by Ms. Talbot, second by Ms. Donis to enter into Executive Session
The Chair called for a roll call vote:
Ms. Talbot (Yes); Ms. Pearson (Yes); Ms. Donis (Yes); Ms. Dorian (Yes); Ms. Stowe (Yes); Ms. Viens (Yes). The MOTION Passed 6-0. See separate minutes.

Investigative Conference CLOSED per M.G.L. c. 112, § 65C

During the Investigative conference, the Board voted to take the following actions:

2017-000686-IT-ENF	Dismiss with advisory
2017-001276-IT-ENF	Dismiss with advisory
2017-000939-IT-ENF	Dismiss with advisory
2017-000935-IT-ENF	Guidance given to prosecutor
2017-001174-IT-ENF	Guidance given to prosecutor

Open Meeting reconvened at 11:29 a.m.

1. Read and Approve Minutes of August 14, 2018

A MOTION was made by Ms. Dorian and Second by Ms. Toole to table the August minutes.
The MOTION passed 6-0.

2. Executive Director's Report

Mr. Lawless reported that the changes are being considered to the E-licensing system in process to implement the Board's new regulations. The new licensing fees passed by the Board are being considered by the Secretary of Administration and Finance. Ms. Dorian asked why other boards are not having delays. Mr. Lawless explained that other Boards did not propose changes as extensive as this Board made.

3. Board Counsel Report

Ms. Read stated that she has no items to report that are not already in the main agenda.

4. LaBluh Advance Esthetics – Spray Tanning

As there was no representative from LaBluh present, no action was taken.

5. Jolie Academy Proposed 450-hour Aesthetics Program

Jolie Academy was not present to present their new proposal for a 450-hour Aesthetics Program.

A MOTION was made by Ms. Toole and Second by Ms. Talbot to table until next month, or, if the school provides the requested information, Ms. Tool will review and approve if appropriate.

6. Plasma Skin Tightening

Ms. Tool said this service is outside the scope of an aesthetician and should be offered in a Medical Spa with doctor oversight only, as it is like a deeper level of microneedling. A blood borne Pathogen Certificate is required, and a numbing cream is required by prescription. The Board gave direction to the staff to respond that this service is outside the scope of aesthetics and requires medical supervision.

7. Request for a Board member to attend a Hearing

Ms. Viens volunteered to sit with the hearing officer on Tuesday Nov. 20th at 10:00 a.m.

8. Public Comment

Some members of the public stated that the minutes of the Board's meetings have not been posted in a timely manner.

Andrea Bingham suggested that the Board consider allowing an Electrology program to be offered in aesthetic schools. Some of the 1100 hours of training in Electrology are transferable to aesthetics. She asked the Board to put it on the Agenda for next month.

Anthony Clemente asked when the Board stopped enforcing the requirement for 10 hours of sanitation instruction for out of country barbers. He also asked for data on how many took and passed the barber licensing exam. He said the Board should require a practical exam with a sanitation requirement.

Mara Andreassen asked for information about the extent to which service animals must be allowed in an aesthetics salon. Ms. Read discussed some of the requirements but recommended that the Board consider the issue after more study. The Board asked the staff to put this issue on the agenda for a future meeting.

Adjourn

At about 1:06 p.m., a MOTION was made by Ms. Talbot and Second by Ms. Toole to adjourn the public Board Meeting. The MOTION passed 6-0.

Ms. Dorian left the meeting at or around 1:06pm.

Investigative Conference CLOSED per M.G.L. c. 112, § 65C

During an Investigative Conference held after the Open Meeting was adjourned, the Board voted to take the following actions:

2018-000627-IT-ENF	Refer to Prosecutions
2018-000626-IT-ENF	Refer to Prosecutions
2018-000587-IT-ENF	Refer back to Investigations
2018-000520-IT-ENF	Refer to Prosecutions
2018-000517-IT-ENF	Refer to Prosecutions
2018-000589-IT-ENF	Dismiss
2018-000558-IT-ENF	Refer to Prosecutions
2018-000660-IT-ENF	Refer to Prosecutions
2018-000586-IT-ENF	Refer to Prosecutions
2018-202759-IT-ENF	Refer to Prosecutions
2018-000814-IT-ENF	Refer to Prosecutions
2018-000133-IT-ENF	Refer to Prosecutions

Documents used during the Open Meeting

Agenda

Draft minutes of August 14, 2018 Open Meeting

Jolie Academy 450-hour Program Proposal

Plasmathetics Academy Skin Tightening Course Proposal

The above Minutes were approved at the open meeting held on October 9, 2018.

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

Richard Lawless, Acting Executive Director