

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING

MINUTES OF THE November 13, 2018 Board Meeting

TIME: 9:30

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

PRESENT: Susan Viens (Chair), Joy Talbot (Vice Chair), Janice Dorian, Amanda Donis, Iris Stowe, Catherine Tool, Marion Saluto, and Erin Pearson arrived at or around 10:10 a.m. Jesús Nuñez was absent.

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

The meeting was called to order at 9:37 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. Talbot**, second by **Ms. Tool** to enter into **Executive Session** to discuss applicants' character rather than competence. The Chair called for a Roll Call Vote:

Ms. Viens (Yes); Ms. Talbot (Yes); Ms. Dorian (Yes); Ms. Stowe (Yes) Ms. Donis (Yes); Ms. Saluto (Yes); Ms. Tool (Yes). The MOTION Passed 7-0. See separate minutes.

Ms. Pearson arrived at 10:10 am.

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

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

| | |
|--------------------|------------------------------|
| 2017-000876-IT-ENF | Guidance given to prosecutor |
| 2017-000239-IT-ENF | Guidance given to prosecutor |
| 2017-001019-IT-ENF | Dismissed |
| 2017-001024-IT-ENF | Dismissed |
| 2017-000175-IT-ENF | Guidance given to prosecutor |

Open session reconvened at or around 11:34 a.m.

Executive Director Report

Mr. Lawless gave a brief report on the changes to the agency's software system to accommodate the pending regulation changes, and that the system updates should be happening sometime in late January or February.

Board Counsel Report

Due to the large agenda, no report was given.

Aesthetics Programs Over the Minimum Required Hours

The Board discussed accepting aesthetics programs that were over the 300 hour current requirement and over the future 600 hour requirement.

A MOTION was made by Ms. Talbot, seconded by Ms. Tool, to accept aesthetics program proposals for aesthetics programs of more than 300 hours and to post an advisory that schools must be responsible to watch the Board's website for announcements of when 600 hours becomes mandatory for licensure. The MOTION passed unanimously.

Public Comment

A MOTION was made by Ms. Dorian, second by Ms. Tool, to amend the agenda and receive comments from State Representative Denise Provost of Somerville. The MOTION passed unanimously.

Representative Provost spoke in support of changes to requirements for the size of licensed schools, due to the difficulty in urban areas such as Somerville of obtaining premises large enough to meet the requirements of 25 chairs, ten shampoo sinks and chairs, ten hairdryers and chairs and a student body of 25. She asked the Board to consider reducing the number of chairs and sinks required and allowing salons to utilize their space for training.

Marian Ryan, Middlesex County District Attorney, expressed appreciation for the protection afforded to the public by licensing, and expressed support for reducing the requirements needed to open a school to train potential licensees. She discussed the "Cut It Out" program, which recognizes salons as places of personal care and community support; the program trains cosmetologists to recognize signs of domestic abuse and help make customers aware of resources available to them. Attorney Ryan supported the proposal for smaller schools.

Remote locations for Mobile Services

The Board recognized Sarah Mason and discussed her request to offer nail services in living facilities for communities with special needs without obtaining a salon license. The Board explained that repeated visits to such a facility is not using an unlicensed space as a salon, because non-residents do not come into the facility to obtain nail services. A **MOTION** was made by **Ms. Talbot**, second by **Ms. Saluto to clarify** the Mobile Policy to expressly permit repeat visits to care facilities. The Motion passed unanimously.

Public Comment

Members of the public spoke in support of combining Esthetics and Electrology to stimulate the industry; and barring students from earning credit hours for off-site events such as hair shows.

A MOTION was made by **Ms. Pearson**, second by **Ms. Talbot** to adjourn for lunch and reconvene as the Salon Pathways Subcommittee, and Ms. Read announced that after the Subcommittee meeting the Board would reconvene for Quasi-Judicial Session CLOSED per M.G.L. c. 30A, § 18 and an Investigative Conference CLOSED per M.G.L. c. 112, § 65C. The Motion passed unanimously and the Board took a break for lunch at 12:50 p.m.

Salon Pathways Subcommittee

See separate minutes.

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

During the Quasi-Judicial Session, the Board took the following action:

- HD-14-054 Vote to issue Final Decision and Order with discipline

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

A second Investigative Conference was not held.

Documents used during the Open Meeting

Agenda of November 13, 2018

Policy Bulletin: Mobile Cosmetology and Barbering Services

The above Minutes were approved at the open meeting held on January 8, 2019

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