

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING
MINUTES OF THE June 11, 2019 BOARD MEETING

TIME: 9:30 a.m.

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

PRESENT: Susan Viens (Chair), Joy Talbot (Vice-Chair), Amanda Donis (Secretary), Janice Dorian, Erinn Pearson, Marian Saluto, Catherine Tool.

Iris Stowe was absent. Jesus Nuñez arrived late.

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

The meeting was called to order at 9:43 am by Ms. Viens.

Executive Session CLOSED per M.G.L. c. 30A, § 21(a) (1), Individual Character Rather Than Competence; and Investigative Conferences, Settlement Offers Closed per G.L. c. 112, § 65C:

A MOTION was made by Joy Talbot, seconded by Marian Saluto, to enter into Executive Session to discuss individual character rather than competence, and then to enter Investigative Conference for consideration of settlement offers, closed pursuant to G.L. c. 112, § 65C, after which the Open Meeting would resume.

The Chair called for a Roll Call vote: Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Donis (Yes); Ms. Dorian (Yes), Mr. Nuñez (Absent), Ms. Pearson (Yes), Ms. Saluto (Yes); Ms. Tool (Absent).

Ms. Tool arrived during Executive Session.

During the closed session, the Board voted to take the following actions:

Settlements:

2018-001539-IT ENF	Guidance given to prosecutor
2019-203198-FI ENF	Guidance given to prosecutor
2018-202825-FI ENF	Guidance given to prosecutor
2018-202824-FI ENF	Guidance given to prosecutor
2018-202883-FI ENF	Guidance given to prosecutor

2018-203154-FI ENF	Guidance given to prosecutor
2018-000384-IT ENF	Guidance given to prosecutor
2018-000518-IT ENF	Guidance given to prosecutor
2018-202991-FI ENF	Guidance given to prosecutor
2018-000384-IT ENF	Guidance given to prosecutor

Open Session resumed at 10:25 a.m.

Housekeeping:

Ms. Viens explained the emergency exit procedures.

Executive Director Report

Mr. Lawless reported that the new regulations became effective on June 1, 2019, and new Frequently Asked Questions would be posted on the Board's website.

Board Counsel Report

Ms. Read reported that the agency has asked all boards to review their regulations.

DISCUSSION

1. Proposal from Representative Denise Provost to Amend Regulations for Cosmetology Schools

Pearson Vue requested a \$2.00 increase to the fee to take the test with the addition of the new language. Offering the State Board test in Portuguese costs \$9,000.00 and Rep. Provost is helping to get the money allocated.

A MOTION was made by Janice Dorian, seconded by Jesus Nuñez, to translate the licensing exam into the Portuguese language, without a \$2.00 exam fee increase. The MOTION passed 8-0.

2. Sharing of Space for Cosmetology & Barbering Programs in schools

No formal action taken - revisit at August meeting.

3. Proposed 900 Hour Aesthetics Program-Elizabeth Grady School of Esthetics

Catherine Tool, Janice Dorian, and Jesus Nunez were recused and left the room. A MOTION was made by Marian Saluto, seconded by Erinn Pearson, to Approve the program. The MOTION passed 8-0.

4. Proposed 600 Hour Aesthetics Program-Rob Roy Academy

Jesus Nunez was recused and left the room. A MOTION was made by Catherine Tool, seconded by Joy Talbot, to approve the program. The MOTION passed 8-0.

5. Proposed 900 Hour Aesthetics Program-E.I.N.E. Electrology Institute of New England

A MOTION was made by Catherine Tool, seconded by Janice Dorian, to Approve. The MOTION passed 8-0.

6. Sink and Bathroom Requirements for Shop Under New Regulations

Members discussed that one sink other than the shampoo bowls and bathroom sink is required in full service salons – portable sinks will be accepted – Staff will discuss with the investigators.

7. Bathroom Requirements for Mobile Units – Coach Cuts

Members discussed a request that Mobile Units not be required to have a bathroom. The members agreed not to change the Mobile Policy, and that Mobile Units must have a bathroom.

8. Requests for Reinstatement of Licenses

A MOTION was made by Joy Talbot, seconded by Erinn Pearson, to up hold \$1100 Fine and Reinstate Manicure License for Ms. Oliveira. The MOTION passed 8-0.

Executive Session CLOSED per M.G.L. c. 30A, § 21(a) (1), Individual Character Rather Than Competence and Investigative Session CLOSED under G.L. c. 112, s. 65C

A MOTION was made by Ms. Talbot, seconded by Marian Saluto, to **open Executive Session** to review character rather than competence of an applicant for reinstatement, **CLOSED per M.G.L. c. 30A, § 21(a) (1)**, after which the Open Meeting would resume.

The Chair called for a Roll Call vote: Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Donis (Yes); Ms. Dorian (Yes), Mr. Nuñez (Yes), Ms. Pearson (Yes), Ms. Saluto (Yes); Ms. Tool (Yes).

The Motion passed 8-0.

9. Reciprocity Procedures for Cosmetology and Barbering Applicants Under New Regulations

The members asked the staff to create a policy for review at the August meeting. Members discussed ways to help streamline our process.

10. Appeal Process For Applicants Having Difficulty Passing Exams Due to Language Barrier

A Hardship waiver was discussed. No formal action was taken.

11. Public Comment

CORI forms are not being notarized before student attends the test
The Handbook omits the required Barber dress code.
Massage is beyond the scope of practice.

Quasi-Judicial Session and Investigative Conferences, Settlement Offers Closed per G.L. c. 112, § 65C:

A MOTION was made by Marian Saluto, seconded by Catherine Tool, to exit public session and go into Quasi-Judicial Session to make final decisions in disciplinary cases and then enter Investigative Conference, closed per G.L. c. 112, s. 65C. The Motion passed unanimously.

During the closed session, the Board voted to take the following actions:

2018-000175-IT-ENF	The Board voted to issue a Final Decision
2018-0011674-IT-ENF	The Board voted to issue a Final Decision

Investigative Conference

A MOTION was made by Joy Talbot, seconded by Jesus Nuñez, to go into **Investigative Conference**

2018-000878-IT-ENF	Refer to Prosecution
2018-001265-IT-ENF	Refer to Prosecution
2018-001268-IT-ENF	Refer to Prosecution
2019-000057-IT-ENF	Refer to Prosecution
2019-000076-IT-ENF	Refer to Prosecution
2019-000124-IT-ENF	Dismiss
2019-000112-IT-ENF	Dismiss
2019-000232-IT-ENF	Refer to Prosecution

2019-000226-IT-ENF	Dismiss with an advisory
2019-000184-IT-ENF	Dismiss
2019-000245-IT-ENF	Refer to Prosecution
2019-000262-IT-ENF	Dismiss
2019-000296-IT-ENF	Dismiss
2019-000262-IT-ENF	Refer to Prosecution
2019-000330-IT-ENF	Refer to Prosecution
2019-000331-IT-ENF	Refer to Prosecution
2019-000038-IT-ENF	Refer to Prosecution
2019-000333-IT-ENF	Dismiss

Adjournment

The meeting was adjourned at 5:05 p.m.

Documents Used During the Meeting:

Agenda of June 11, 2019
Draft Minutes of Meeting held April 9, 2019
EINE 600-Hour Aesthetics Curriculum
EINE – Additional Hours for Proposed 900-Hour Program
Proposal on Amending School Regulations
Rob Roy Academy 600-Hour Esthetics Outline
Rob Roy Academy 600-Hour Curriculum Sequence

The above Minutes were approved at the
open meeting held on September 10, 2019.



Richard Lawless, Executive Director