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**Commonwealth of Massachusetts**  
**Division of Occupational Licensure**  
**Board of Registration of Cosmetology and Barbering**  
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REGULATION

LAYLA R. D'EMILIA  
COMMISSIONER, DIVISION OF  
OCCUPATIONAL LICENSURE

**MINUTES OF THE January 12, 2023**  
**PUBLIC BOARD MEETING**

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

**PLACE:** Conference Call / Virtual Meeting

**PRESENT:** Cate Tool (Acting Chair), Erinn Breedy, Heather Cohen, Nicole Corliss, Cassia Gilroy, Marian Saluto, Iris Stowe

**ABSENT:** Joy Talbot

**STAFF:** Richard Lawless, Executive Director  
Kristina Gasson, Deputy General Counsel for Boards and Hearings  
Jamie Dalton, Board Counsel

The Meeting was called to order at **9:34 a.m.** by Mr. Lawless. All board members and staff appeared telephonically or by videoconference. Due to the absence of Ms. Talbot, Ms. Tool was designated as the Acting Chair of the meeting.

**Housekeeping and Conference Call Protocol:**

Ms. Tool reviewed conference call and open meeting protocol with meeting attendees. Anthony Clemente from the Massachusetts Association of Cosmetology Schools indicated that he will be recording the meeting, and the Chair notified all attendees of this recording.

**Executive Director Report**

Mr. Lawless indicated that this was the first full Cosmetology Board meeting under a new Governor and administration. He also reported that beginning in February, all Board meetings would be recorded by the agency, and that Board members will begin using a new file distribution system for receiving Board packets. He also reported that the Eyelash Subcommittee is making progress in its discussions.

**Board Counsel Report:**



Atty. Gasson reminded attendees of remote meeting protocol as the Board prepares to begin recording meetings next month. She reported that the provision for remote Board meetings is current set to expire in March 2023, and that she will keep the Board updated on any changes. Additionally, she reported that the Board's regulation review process was currently on hold with the administration change, and that the redlined regulations are being reviewed by the agency.

### **Minutes of the December 8, 2022 Public Meeting**

After discussion, a MOTION was made by Ms. Corliss, seconded by Ms. Saluto, to approve the public minutes of the December 8, 2022 meeting as drafted.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Stowe (Yes).

The Motion passed 7-0.

### **Minutes of the December 1, 2022 Eyelash Subcommittee Public Meeting**

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Corliss, to accept the public subcommittee minutes of the December 1, 2022 meeting as drafted.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Abstain), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Stowe (Yes).

The Motion passed 6-0, with one abstention.

## **Discussion**

### **PSI Exam Implementation**

Mr. Lawless provided an update on issuing licenses for candidates who have passed the exam, confirming that licenses are now able to be issued, and that PSI is working on transferring the complete set of exam candidate data through the agency's licensing system. He announced that the Board has posted a notice on its website with a list of candidates who have passed their exams which permits them to practice as a licensee with proof of their exam pass results until their license numbers have been officially issued. He confirmed that exam re-take fees are continuing to be waived.

He reported that Barber exams have launched, Electrology exams are scheduled to begin on January 22<sup>nd</sup>, and that PSI is accepting Electrology applications currently. He confirmed that exam authorization emails for Instructor / Out of State/Country / Lapsed candidates are being sent out, and that candidates should carefully monitor their Inbox and Spam/Junk email folders for their authorization email. He reminded attendees that exam candidates must email [MACOSprocessing@psionline.com](mailto:MACOSprocessing@psionline.com) to request to take the exam in a different language. He also spoke about getting exam voucher information posted on PSI's Massachusetts Cosmetology homepage. He also reiterated that any schools or candidates who need assistance with any issues involving PSI can contact him directly.

Board members provided some feedback on the exams, regarding the clarity of photos for aesthetics skin analysis questions, and the difficulty of the written practical exam.

The Chair recognized several individuals for public comment on this topic. Anthony Clemente from New England Hair Academy expressed concern over the exam pass rates and urged the Board to convene a subject matter expert panel of Massachusetts licensees. Janice Dorian from Mansfield Beauty Schools said the exam should be based on the curriculum outlines in the Board's regulations, and that exams should be suspended and replaced with an evaluation by schools until any issues are resolved.

### **Guidance on School Transfer Hours**

The Board discussed a request to address documentation requirements for school hour transfers between schools. The Board concluded that any school that is accepting hours from another school may only accept up to the number of hours earned, and that they must have verifiable documentation of the earned hours when accepting a transfer.

The Board gave direction to staff to modify its proposed regulations for schools to include this provision, and to bring to the Board next month with proposed language for review.

### **Request for Sink Waiver for Prospective Barber School**

Thomas Joyce was in attendance to discuss his requested waiver for sinks for a potential barber school. The Board indicated that its current proposed regulation changes for Barber schools will be reducing the number of required sinks, and that it would not make an exception to its current regulations. No formal action was taken.

### **Public Comment**

Frank Zona asked about the expected timeframe for proposed regulation changes to be evaluated and approved. Atty. Gasson provided an overview of the regulation review process.

Thomas Joyce asked about offering the Board's apprentice program through his school in New Hampshire. Ms. Tool responded that the Board is not able to provide guidance on businesses located outside of Massachusetts.

Carla Graham from Lowell Academy express concerns regarding the difficulty of the written practical exam and requested more information from PSI on exam content.

Janice Dorian asked the Board to take immediate action on exam issues, and also asked about obtaining a copy of the Board's proposed regulation changes. Atty. Gasson indicated that copies of Board regulations discussed at public meetings may be obtained via a public records request.

### **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. Breedy, to adjourn the public meeting at **10:51 a.m.**, and to enter into **Executive Session, closed per M.G.L. c. 30A, § 21(a)(1)**, for the purposes of discussing character rather than competence; 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. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Stowe (Yes).

The Motion passed 7-0.

*Ms. Stowe joined the Closed meeting at or around 11:45 a.m.*

**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**

2021-201935-FI-ENF                      Dismissed

*Ms. Saluto left the meeting at or around 12:36 p.m.*

**Review of Cases**

2022-204996-FI-ENF	Dismissed
2018-202154-FI-ENF	Dismissed/No Further Action
2017-202686-FI-ENF	Dismissed
2022-000991-IT-ENF	Referred to Office of Investigations
2022-000975-IT-ENF	Dismissed with Advisory

*Ms. Breedy left the meeting at or around 12:20 p.m.*

2022-000951-IT-ENF                      Referred to Office of Prosecutions

*Ms. Breedy returned to the meeting at or around 12:39 p.m.*

2022-000984-IT-ENF                      Dismissed

**Adjournment**

A MOTION was made by Ms. Breedy, seconded by Ms. Gilroy, to adjourn at 12:50 p.m.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), and Ms. Stowe (Yes).

The Motion passed 6-0.

The above Minutes were approved at the open meeting held on February 9, 2023.



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Richard Lawless, Executive Director

**Documents Used During the Meeting:**

Agenda

Draft Minutes of December 8, 2022 Open Meeting

Draft Minutes of December 1, 2022 Open Subcommittee Meeting

Email from Thomas Joyce Regarding Waiver of Sinks for a Barber School