

COMMONWEALTH OF MASSACHUSETTS

BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING

MINUTES OF THE JUNE 14, 2016 BOARD MEETING

TIME: 9:30 a.m.

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

PRESENT: Susan Viens (Chair), Joy Talbot (Vice-Chair), Michael Gayzagian (Secretary), Marian Saluto, Janice Dorian, Catherine Tool, Jesus Nunez, Nam Pham, Louise Devin

ABSENT: None

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

The meeting was called to order at 9:30 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. Dorian second by Ms. Pham to enter into executive session for the purpose of discussing applicants' characters rather than competence, after which the open meeting of the Board will resume.

A Roll Call vote was taken: Ms. Dorian (Y) Ms. Tool (Y) Mr. Gayzagian (Y) Ms. Talbot (Y) Mr. Nunez (Y) Ms. Pham (Y) Ms. Viens (Y) Ms. Saluto (Y) Ms. Devin (Y)

The MOTION Passed unanimously.

Open Session resumed at 10:40

Housekeeping:

Ms. Viens described the exit procedures and requested a rearrangement of the agenda.

A MOTION was made by Mr. Gayzagian seconded by Ms. Dorian to move the election of Board officers to the top of the agenda. The MOTION passed unanimously.

Election of Officers

Mr. Bialas explains the election procedure to the public.

A MOTION was made by Ms. Dorian second by Mr. Nunez to nominate Susan Viens as Board Chair.

The MOTION Passed unanimously.

A Motion was made by Ms. Dorian second by Ms. Pham to nominate Joy Talbot Board Vice-Chair.

The MOTION passed unanimously.

A MOTION was made by Ms. Dorian second by Ms. Tool to nominate Mike Gayzagian Board Secretary.

The MOTION passed unanimously.

Minutes of Meeting Held May 10, 2016

A MOTION was made by Mr. Gayzagian, seconded by Ms. Dorian to table the May 10, 2016 Meeting minutes.

The MOTION passed unanimously.

Blessing Channels Nail Academy

A MOTION was made by Ms. Tool, second by Mr. Gayzagian to table the issue.

The MOTION passed unanimously.

Greater Lawrence Technical School Barber Program

Mr. Bialas presented information about the Greater Lawrence Technical School barber program. The Board discussed it.

A MOTION was made by Ms. Talbot second by Mr. Nunez to table the issue.

The MOTION passed unanimously.

Executive Director's Report

Mr. Bialas discussed the CORI policy progress.

Ms. Dorian requested the administration extend the policy of inmates being allowed to write letters in lieu of appearing before the Board to all applicants. The Board allowed Ms. Dorian to submit a sample letter for applicants to use.

Board Counsel Report

Ms. Read discussed the progress of the regulation review under Executive Order 562 and the public hearings to be held. She discussed the North Carolina Board of Dental Examiners decision by the U.S. Supreme Court and how the Board needs to provide support for its votes on matters that might have an anti-competitive effect to avoid liability.

Lunch 12:05

Return 12:46

IPL Policy

The Board discussed the number of hours needed for IPL equipment training and reviewed the draft policy presented by the staff.

A MOTION was made by Ms. Pham second by Ms. Dorian to accept the draft IPL policy and add the word minimum.

The MOTION passed by majority vote, with one abstention.

Mobile Manicuring Policy

A MOTION was made to add the words "in Massachusetts" to the definition of Business Address in the Board's Mobile Manicuring Policy.

The MOTION passed unanimously.

Mobile Policy

Several members of the public presented their business ideas for operating a mobile salon.

Board members discussed the merits. No vote was taken.

School Discretion to Approve Students to Take Exam After 90% Hours Completed.

Ms. Dorian proposed allowing students to test after completing 90% of the required number of course hours. She argued this will allow students to save money and start careers sooner.

Members discussed the merits.

A MOTION was made by Ms. Pham second by Ms. Saluto to table the issue.

The MOTION passed unanimously.

Public Comment

Members of the public discussed the proposal to permit students to take the licensing exam after completing 90% of the required program hours, mobile services, and the proposed Barber Vo Tech program.

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

A MOTION was made and seconded to enter into executive session for the purpose of discussing draft minutes of the Executive applicants' characters rather than competence, after which the Board will meet in CLOSED Investigative Conference per G.L. c. 112, s. 65C and will **not** resume open meeting.

A Roll Call vote was taken: Ms. Dorian (Y) Ms. Tool (Y) Mr. Gayzagian (Y) Ms. Talbot (Y) Mr. Nunez (Y) Ms. Pham (Y) Ms. Viens (Y) Ms. Saluto (Y) Ms. Devin (Y)

The MOTION Passed unanimously.

Mr. Nunez left the meeting.

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

A MOTION was made by Ms. Devin, seconded by Ms. Saluto to enter closed session to consider open cases, conduct investigative conferences and to consider settlement offers [closed session pursuant to G.L. c. 112, § 65C]. The Motion passed unanimously.

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

HD-15-098

Board determined Sanction for Final Decision and Order

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

A MOTION was made by Mr. Gayzagian, seconded by Ms. Tool to re-enter CLOSED quasi-judicial session pursuant to G.L. c. 30A §18(d) to make decisions required in adjudicatory proceedings brought before it.

The MOTION passed unanimously.

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

HS-115-315	Board determined Sanction for Final Decision and Order
HS-14-237	Board determined Sanction for Final Decision and Order
HD-15-221	Board determined Final Sanction Reinstatement after Final Decision
HD-15-277	Board determined Final Sanction Reinstatement after Final Decision
HD-14-094	Board determined Final Sanction Reinstatement after Final Decision
BR-15-038	Board determined Final Sanction Reinstatement after Final Decision

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

A MOTION was made by Ms. Devin, seconded by Ms. Saluto to enter closed session to consider open cases, conduct investigative conferences and to consider settlement offers [closed session pursuant to G.L. c. 112, § 65C]. The Motion passed unanimously.

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

Settlement Offers and Counteroffers:

HD-16-094	Provided guidance to prosecutor
HS-15-334	Provided guidance to prosecutor

Review of Cases and Staff Assignments:

SA-HS-16-081	Refer to Prosecution
SA-HS-16-080	Refer to prosecution
HS-16-241	Refer to prosecution
BS-16-048	Refer to prosecution
BR-16-105	Refer to prosecution
HS-16-247	Dismiss
HD-16-185	Refer to prosecution
HS-16-255	Dismiss
HS-16-202	Refer to prosecution

Adjournment

A MOTION was made by Ms. Tool and Ms. Talbot seconded to adjourn the meeting.

The MOTION passed unanimously.

Documents Used at the Meeting:

Agenda

Draft Minutes of Open Meeting held May 10, 2016

Draft IPL Policy

My Barber Brochure

Mobile Cuts Brochure

Application of Blessing Channel Nail Academy

The above Minutes were approved at the
open meeting held on September 13, 2016.



Brian Bialas, Executive Director