

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING
MINUTES OF THE JANUARY 10, 2017 BOARD MEETING

TIME: 9:30 a.m.

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

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

STAFF: Robert, Fortes, Deputy Director of Policy and Boards
Lynn Read, Board Counsel
Brian Bialas, Executive Director

The meeting was called to order at 9:35 a.m. by Ms. Viens (Chair).

A MOTION was made by Ms. Talbot, seconded by Mr. Gayzagian to enter into executive session to discuss applicants' characters rather than competence, after which the open meeting of the Board will resume.

Roll call: Ms. Tool (Yes) Mr. Gayzagian (Yes) Ms. Talbot (Yes) Ms. Viens (Yes) Mr. Nunez (Yes) Ms. Saluto (Yes) Ms. Dorian (Yes)

The MOTION passed 7-0.

The Board entered into executive session at 9:35 a.m.

The Board returned to open session at 10:15 a.m.

Housekeeping:

Ms. Viens explained the emergency exit procedures.

Public Minutes from December 6, 2016

A MOTION was made by Ms. Talbot, seconded by Ms. Saluto to accept the December 6, 2016 Minutes with changes.

The MOTION passed 7-0.

Executive Director Report

Mr. Bialas reviewed the Board's visit to the Shirley maximum and medium security prisons to observe the Department of Corrections' Barbering programs. He then discussed the suggestion of a sub-committee that would travel to the prison to interview inmates who have finished the Barbering program and have petitioned the Board to take the Barber License exam.

Ms. Talbot thanked all the members who visited and briefed the ones who did not.

All the members who went expressed appreciation for the opportunity and complimented Ms. Talbot on the job she was doing.

Board Counsel Report

Ms. Read made a request for volunteers to sit in on administrative hearings being held on March 23 and April 26. Mr. Gayzagian volunteered for March 23 and Ms. Tool offered to be an Alternate. Ms. Viens volunteered for April 26.

Prohibited Practices Policy

Ms. Tool discussed possible changes to the policy.

A MOTION was made by Ms. Talbot, seconded by Ms. Saluto to table the policy until next month.

The MOTION passed 7-0.

Intense Pulsed Light Policy

Ms. Tool and Mr. Gayzagian discussed whether the state's medical board has jurisdiction over this area.

Ms. Read agreed to look further into the issue.

A MOTION was made by Ms. Tool, seconded by Mr. Gayzagian to table the policy until next month.

The MOTION passed 7-0.

Mobile Policy

Mr. Bialas provided an update on the policy.

No action was taken.

BREAK: 11:40 a.m.

RETURN: 11:54 a.m.

Practical Exam

Ms. Viens solicited opinions from members on the changes to the operator, aesthetician, and manicurist practical exams.

Ms. Dorian expressed concern that students do not have enough time to prepare before the changes take effect.

Members discussed the different elements of the exam and the impacts they will have on various groups of students.

No action was taken.

Public Comment

The Board received comments from the public regarding salon business certificates and electrology CEUs for laser classes.

Lunch 12:52 p.m.

Return 1:34 p.m.

A MOTION was made by Ms. Saluto, seconded by Ms. Talbot to exit public session and go into quasi-judicial session pursuant to G.L. c. 30A §18(d) to make decisions required in adjudicatory proceedings brought before the Board.

The MOTION passed 7-0.

The Board entered quasi-judicial session at 1:34 p.m.

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

- HS-14-457 & HS-14-476 (related): Board determined sanction for Final Decision

A MOTION was made by Ms. Dorian, seconded by Mr. Gayzagian to exit quasi-judicial session and enter into investigative conference to conduct investigative conferences pursuant to G.L. c. 112, § 65C.

The MOTION passed 7-0.

The Board then exited quasi-judicial session and entered investigative conference. During the closed session, the Board voted to take the following actions:

Settlement Offers and Counteroffers:

- BS-16-021 Provided guidance to prosecutor
- HS-16-183 Provided guidance to prosecutor

Review of Cases and Staff Assignments:

BR-16-002	Refer to Prosecution
2016-0817-HD-034- IT-ENF	Dismiss
SA-HS-16-045	Refer to Prosecution
SA-HD-16-037	Refer for further investigation
2016-999580-IT-ENF	Dismiss
2016-0617-HS-323-IT-ENF	Refer to Prosecution
2016-2000446-FI-ENF	Refer to Prosecution
HS-17-019	Refer to Prosecution

Adjournment

A MOTION was made by Ms. Talbot, seconded by Mr. Gayzagian to adjourn the meeting.

The MOTION passed 7-0.

The meeting was adjourned at 2:38 p.m.

Documents Used During the Open Meeting:

Agenda

Draft Minutes of December 6, 2016 Open Meeting

Draft Prohibited Practices Policy

Draft Intense Pulsed Light Policy

Petition to Permit Aestheticians to Practice Photorejuvenation

Changes to Operator, Aesthetician, and Manicurist Practical Exam Score Sheets

The above Minutes were approved at the open meeting held on February 7, 2017.



Brian Bialas, Executive Director