

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING
MINUTES OF THE April 9, 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.

Jesus Nuñez, Iris Stowe absent.

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

The meeting was called to order at 9:39 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 Amanda Donis, 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), Ms. Saluto (Yes). The MOTION Passed 5-0.

Ms. Pearson arrived at the meeting at 9:43 a.m., and Ms. Tool arrived at 9:45 a.m.

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

Settlements:

- 2018-000141-IT-ENF Guidance given to Prosecutor
- 2017-001539-IT-ENF Guidance given to Prosecutor
- 2017-202500-FI-ENF Guidance given to Prosecutor

Open Session resumed at 10:52 a.m.

Housekeeping: Ms. Viens explained the emergency exit procedures.

Draft Minutes of Open Meetings Held March 12, 2019

Ms. Dorian requested a correction to wording.

A MOTION was made by Janice Dorian, seconded by Joy Talbot, to accept the minutes of March 12, 2019 as amended. The MOTION passed 7-0.

Board Executive Director's Report

Mr. Lawless reported that the Board's amended Regulations will become effective 06/01/2019. He discussed the Instructors examination.

A MOTION was made by Janice Dorian, seconded by Joy Talbot, to issue temporary permits for all Instructors pending examination. The MOTION passed 7-0.

Board Counsel Report

Ms. Read reported that new licensing fees for Cosmetology and Barbering have been approved and are expected to be in place by fall 2019. Also, the Apprenticeship and Student Employment Policy has been approved and has been posted on the Board's website.

Discussion:

Proposal by State Rep. Denise Provost to Offer Cosmetology Test in Portuguese

The Board gave direction to staff to pursue translating the exam into Portuguese.

Proposal from State Rep. Denise Provost to amend regulations for Cosmetology schools

A MOTION was made by Amanda Donis, seconded by Marion Saluto, to table until the June meeting. The Board continued to discuss the proposal to allow salons to operate as schools during non-salon hours, or to otherwise reduce the number of chairs and amount of equipment required to operate a licensed school. The Chair took comment from vocational schools requesting reduction of the requirements for 25 chairs and 10 sinks. The Board agreed to continue the discussion at the June 11, 2019 meeting, after the pending regulatory amendments go into effect on June 1.

Proposed Cosmetology School – Flawless Hair Academy

The school was not present to discuss--no action taken.

Request for Reinstatement of License – Postponed

A MOTION was made by Janice Dorian, seconded by Cate Tool, to postpone the consideration of reinstatement requests until later in the meeting. The MOTION passed 7-0.

Potential Formation of Subcommittee to Evaluate New 600 Hour Aesthetics Program

A MOTION was made by Cate Tool, seconded by Janice Dorian, to ask aesthetics programs to submit a detailed 600-hour curriculum and put back on May Agenda to delegate authority to a

Board member to review any such programs that are received after the May meeting. The MOTION passed 7-0.

Revised Policy on English Language Testing and Translation Dictionaries

The Board discussed a request for additional time to take the licensing exam using a translation dictionary. A MOTION was made by Ms. Dorian, seconded by Ms. Talbot that any applicant using a translation dictionary is eligible to receive 50% extra time to test. The MOTION passed 7-0.

Barber Vocational School Hours at Age 15

A MOTION was made by Joy Talbot, seconded by Cate Tool, to make all 15 year old students hours retroactive before June 2019. The MOTION passed 7-0.

A MOTION was made by Cate Tool, seconded by Joy Talbot, that the proposal by Sen. Provost to reduce the requirements for the size of schools be put on the June Agenda. The MOTION passed by a vote of 6-1, with Ms. Dorian opposed.

Public Comment

The Board was asked to clarify rules for using the same school space for Cosmetology program during the day and a Barber program at night.

Clarification on salon space shared by Cosmo and Barber – Barber stations must have a Barber Pole decal on their Mirror.

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

A MOTION was made by Joy Talbot seconded by Erinn Pearson, to exit public session and go into Investigative Conference to consider open cases and conduct investigative conferences [closed session pursuant to G.L. c. 112, § 65C], and the open meeting would not resume except to adjourn the meeting. The MOTION passed unanimously.

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

Review of Cases and Staff Assignments:

| | |
|--------------------|-----------------------|
| 2018-000995-IT-ENF | Dismiss |
| 2018-001338-IT-ENF | Refer to Prosecutions |
| 2019-000088-IF-ENF | Refer to Prosecutions |
| 2019-000068-IT-ENF | Refer to Prosecutions |
| 2019-000092-IT-ENF | Refer to Prosecutions |
| 2019-201398-IT-ENF | Refer to Prosecutions |
| 2019-203596-FI-ENF | Dismiss |

The Board members present agreed to meet July 16th with no August meeting.

Adjourn

The meeting was adjourned at 2:30 p.m.

The above Minutes were approved at the open meeting held on August 13, 2019.

A handwritten signature in black ink, appearing to read 'Richard Lawless', written in a cursive style.

Richard Lawless, Executive Director

Documents Used During the Meeting:

Agenda

Draft Minutes of Meeting held March 12, 2019

Policy Change Proposal by Rep. Provost

Policy on English Language Testing and Translation Dictionaries