

MINUTES

FLORIDA BARBERS' BOARD
HYATT REGENCY TAMPA - TWO TAMPA CITY CENTER
TAMPA, FLORIDA 33602

Monday, November 5, 2012

The Florida Barbers' Board meeting was called to order at approximately 9:00 a.m., by Chair Herman White.

Board Members Present

Herman White, Chair
Thomas Vaughn, Vice Chair
Edwin Stewart
Bill Gilbert

Board Members Absent

Julie Rivera
Andrew Raines

Other Persons Present

Julie Rowland, Government Analyst, Department of Business and Professional Regulation, (DBPR)
Katharine Dodson, Administrative Assistant, DBPR
Marlene Stern, Assistant Attorney General, Office of the Attorney General
Jean Murray, Court Reporter
Edward Patterson
Joseph Ortiz
Larry Hakes
Lynda Calcano
David Lipscomb, Esquire
Zachary Clemons
Roger Charlton, Florida Barber Academy
Ana Sosa, Florida Barber Academy

The meeting was opened with a roll call and a quorum was established. Chair White excused the absences of Ms. Julie Rivera and Mr. Andrew Raines from the meeting.

APPROVAL OF MINUTES

Mr. Bill Gilbert moved to accept the minutes from the August 13, 2012, Board meeting. Vice Chair Thomas Vaughn seconded the motion and the motion passed unanimously.

DISCIPLINARY MATTERS

Department Attorney Report

Ms. Julie Rowland, Government Analyst, informed the Board that as of October 3, 2012, there were 292 open barber cases in the legal section.

APPLICATIONS

Informal Hearings

David Jonathan Giglio / Jamaica

Mr. Giglio was not present for the meeting. Ms. Rowland noted that the licensure application was denied at the August 13, 2012, board meeting based on discrepancies in the documentation provided. After review, Mr. Edwin Stewart moved to approve the application. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Edward Robert Patterson Jr.

Mr. Patterson was present for the meeting and was sworn in by Ms. Jean Murray, Court Reporter. Ms. Rowland noted that the licensure application was denied at the August 13, 2012, board meeting based on evidence of completion of only 600 hours of schooling. After review, Mr. Gilbert moved to approve the application. Vice Chair Vaughn seconded the motion and the motion passed with Mr. Stewart voting against the motion.

Victor Emmanuel Torres / Puerto Rico

Mr. Torres was not present for the meeting. Ms. Rowland noted that the licensure application was denied at the May 21, 2012, board meeting based on discrepancies in the documentation provided. After review, Mr. Stewart moved to approve the application. Mr. Gilbert seconded the motion and the motion passed unanimously.

Initial Review

Niloufar Bamdad / Iran

Ms. Bamdad was not present for the meeting. After review, Mr. Stewart moved to deny the application because the applicant failed to demonstrate that she holds a current active barber license in another state or country as required by Rule 61G3-16.005, Florida Administrative Code. Vice Chair Vaughn seconded the motion and the motion passed with Mr. Gilbert voting against the motion.

Larry William Hakes / New York

Mr. Hakes was present for the meeting and was sworn in by the Court Reporter. After review, Mr. Stewart moved to approve the application. Mr. Gilbert seconded the motion and the motion passed unanimously.

Jean P. Mendez

Mr. Mendez was not present for the meeting. After review, Vice Chair Vaughn moved to deny the application based on a pending disciplinary matter. Mr. Gilbert seconded the motion and the motion passed unanimously.

Joseph O. Ortiz / Puerto Rico

Mr. Ortiz was present for the meeting and was sworn in by the Court Reporter. After review, Vice Chair Vaughn moved to approve the application. Mr. Gilbert seconded the motion and the motion passed unanimously.

Jose O. Ortiz

Mr. Ortiz was not present for the meeting. After review, Mr. Stewart moved to approve the application. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Cherrene K. Pinder / Utah

Ms. Pinder was not present for the meeting. After review, Vice Chair Vaughn moved to deny the application because the applicant failed to demonstrate that she holds a current active barber license as required by Rule 61G3-16.005, Florida Administrative Code. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Joseph Anthony Rex

Mr. Rex was not present for the meeting. After review, Mr. Stewart moved to deny the application based on the noted criminal history. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Dauvielle Lester

Mr. Lester was not present for the meeting. After review, Mr. Stewart moved to approve the application. Mr. Gilbert seconded the motion and the motion passed unanimously.

Kay Ziv / Israel

Ms. Ziv was not present for the meeting. After review, Mr. Stewart moved to approve the application. Vice Chair Vaughn seconded the motion and the motion passed unanimously.

Executive Director's Report

Financial Report ending June 30, 2012

Ms. Rowland reported that the balance in the Board's operating account on June 30, 2012, was over \$913,000 and the balance in their unlicensed activity account was over \$254,000 for the same period.

Board Attorney Report

Rule 61G3-16.0092, Florida Administrative Code – Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) Education Provider Requirements

The Board approved the draft language and they agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

(1) Entities or individuals who wish to become approved providers to offer courses for initial licensure shall make application to the Board or department on form DBPR-BB-006 BAR 8 entitled, "APPLICATION FOR INITIAL AND CONTINUING EDUCATION PROVIDER AND COURSE APPLICATION APPLICATION" incorporated herein by reference effective ~~9-12-04~~ 5/29/12, which copies may be obtained from the ~~Board~~ department. Applications for initial licensure providership must be submitted at least 30 days prior to the next Board meeting.

(2) Entities or individuals who wish to become approved providers to offer courses for continuing education purposes shall make application to the ~~Board of BPR~~ department on form DBPR-BB-006 BAR 7 entitled, "~~PROVIDER AND APPLICATION FOR INITIAL AND CONTINUING EDUCATION COURSE APPROVAL APPLICATION AND RENEWAL,~~" incorporated herein by reference and effective ~~9-12-04~~ 5/29/12, which copies may be obtained from the ~~Board~~ department. Applications for continuing education providership must be submitted at least 60 days prior to the next Board meeting.

(3) – (6) – no changes.

Rule 61G3-16.0091, Florida Administrative Code – Requirement for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) for Continuing Education

The Board approved the draft language and they agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

(1) Each person licensed under Chapter 476, F.S., shall complete a department or board approved HIV/AIDS education course as a condition of the renewal of this or her license, ~~and shall confirm that he or she has completed an HIV/AIDS education course on his or her application for renewal.~~ Such course must be taken during the licensure period and prior to expiration of the license.

(2) – (6) – no changes

~~(7) The department shall issue a citation to any licensee who attempts to renew and is not in compliance with continuing education requirements.~~

Division of Regulation

Complaints and Investigative Statistics Report – July 2012 – September 2012

Ms. Rowland informed the Board that the Complaints and Investigative Statistics Report was included in the agenda for informational purposes.

Bureau of Education and Testing

Barber Examination Summary – January 2011 – September 2012

Ms. Rowland informed the Board that the Barber Examination Summary was included in the agenda for informational purposes.

Dates and Locations of Future Meetings

February 4, 2013 - Orlando
May 6, 2013 – Daytona Beach
August 12, 2013 – St. Augustine
November 4, 2013 – Jacksonville

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 11:40 a.m.