

**EXECUTIVE SUMMARY**  
**Florida Barbers' Board**

**I. General Information**

Meeting Type: General Business  
Meeting Date: Monday, November 3, 2008  
Meeting Location: The Florida Hotel and Conference Center  
1500 Sand Lake Road  
Orlando, Florida 32809

Attendees:  
Herman White, Chair  
Robert Collins  
Jeri Scott  
Edwin Stewart  
Carl Troup, Vice Chair  
Thomas Vaughn

Secretary Charles W. Drago, Department of Business and Professional Regulation  
Robyn Barineau, Executive Director, Department of Business and Professional Regulation  
Carrol Cherry, Assistant Attorney General, Department of Legal Affairs  
Elizabeth Duffy, Assistant General Counsel, Office of the General Counsel, Department of Business and Professional Regulation  
Phillip Monte, Assistant General Counsel, Office of the General Counsel, Department of Business and Professional Regulation  
Dana Ewaldt, Government Analyst, Department of Business and Professional Regulation  
Dianna Garcia, Court Reporter  
Other Interested Parties

**II. Major Issues/Actions**

- Chair Herman White introduced Secretary Charles W. Drago and welcomed him to the board meeting. Secretary Drago thanked the board for the opportunity to introduce himself. He also thanked the board for their service to the citizens of Florida and to their profession. Secretary Drago gave the board a brief overview of his professional career including 32 years in law enforcement. He mentioned some of the initiatives the Department is currently pursuing. Secretary Drago added that the Department is attempting to streamline processes in accordance with Governor Crist's Accelerate Florida initiative. He encouraged the members to read the Department's weekly publication, *The Bottom Line*, to keep abreast of all that goes on in the Department.

- The board considered 10 endorsement applications, one application for licensure from an individual whose previous license was revoked, 20 disciplinary cases, and one continuing education provider and course application.
- Ms. Elizabeth Duffy, Assistant General Counsel, informed the board that there are 100 barbering cases in the Office of the General Counsel as of October 14, 2008.
- Ms. Duffy introduced Mr. Phillip Monte who will now be serving as the board's prosecutor. She thanked the board for the opportunity to work with them.
- Vice Chair Carl Troup mentioned that he was able to work with Governor Crist in proclaiming September 2008 as Florida Barber Month. He hopes to be able to work with the Governor's Office on this initiative for the future.
- Ms. Robyn Barineau, Executive Director, informed the board that their June 30, 2008, operating account balance was \$988,233 and their unlicensed activity account balance was \$237,978. When asked by the board if their account balances would be swept by the Legislature, Ms. Barineau replied that a cash sweep is always a possibility.
- Because the original rule development notice expired, Ms. Carrol Cherry, Assistant Attorney General, mentioned that the supervised practice exception rule amendment was renoticed for development. The board agreed to move forward with the proposed rule and that the rule would have an impact in small businesses based on the Statement of Estimated Regulatory Costs (SERC) prepared by Ms. Barineau. Ms. Cherry will proceed with publication of the rule.
- Ms. Barineau informed the board that rule language was necessary to impose sanctions on licensees who did not laminate their licenses according to Rule 61G3-19.009, Florida Administrative Code. Ms. Barineau added that a citation could be issued or a Notice of Non-Compliance could be issued. She spoke with the Division of Regulation and together they suggested that a Notice of Non-Compliance be issued for first-time violators and that a case be opened after the first non-compliance situation. The board agreed with Ms. Barineau's suggestion and asked Ms. Cherry to move forward with rule publication. Ms. Barineau will prepare a SERC for this rule.
- Chair White mentioned the Practical Examination Standardization conducted on Sunday, November 2, 2008, and thanked Mr. Edwin Stewart for his role in the presentation and all the board members for their attendance.
- The board asked Ms. Barineau to have a representative from the Bureau of Education and Testing be present at their February 2009 meeting in Tallahassee to discuss the role of Lead Examiners in practical examinations.
- Ms. Barineau reminded the board of the following meeting dates and locations:
  - Monday, February 23, 2009 – Tallahassee, Florida
  - Monday, May 18, 2009 – Jacksonville, Florida
  - Monday, August 3, 2009 – Ft. Lauderdale, Florida
  - Monday, November 9, 2009 – Orlando, Florida
- The board unanimously elected Mr. Herman White, Chair, of the Florida Barbers' Board, and Mr. Carl Troup, Vice Chair, of the Florida Barbers' Board.

### **III. Legislation/Rule Promulgation**

- Ms. Cherry will move forward with publication of the amendment to Rule 61G3-16.010, Florida Administrative Code, Supervised Practice Exception.
- Ms. Cherry will move forward with publication of the amendment to Rule 61G3-21.002, Florida Administrative Code, Notice of Non-Compliance.

### **IV. Action Required**

- Ms. Cherry will prepare all final orders and forward them to board staff for filing with the Department's Agency Clerk.
- Ms. Barineau will prepare a SERC for Rule 61G3-21.002, Florida Administrative Code.
- Ms. Barineau will ask that a representative from the Bureau of Education and Testing be present at their February 2009 meeting in Tallahassee to discuss the role of Lead Examiners in practical examinations.

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Robyn Barineau  
Executive Director  
November 3, 2008