

EXECUTIVE SUMMARY

Board of Cosmetology

I. General Information

Meeting Type: General Business Meeting
Meeting Date: Monday, April 2, 2012, and
Tuesday, April 3, 2012
Meeting Location: Plaza Resort and Spa
600 North Atlantic Avenue
Daytona Beach, Florida 32118

Attendees:

Myra Jowers, Chair
Ginny Fincel, Vice Chair
Crystal Lackey
Laurel Ritenbaugh
Monica Smith
Suzanne Wilhoite
Robyn Barineau, Executive Director, Department of Business and Professional
Regulation (DBPR)
Rachel Clark, Assistant Attorney General, Office of the Attorney General
Dustin Metz, Assistant General Counsel, Office of the General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
Barbara Petrock, Daytona Beach State College (DBSC)
Connie Popp, DBSC
Maura Scali-Sheahan, Fortis Institute
Bonnie Poole, Florida Cosmetology Association
Christie Sammaro, Court Reporter
Sharon Dunlap, Court Reporter
Other Interested Parties

II. Major Issues/Actions

- The board considered 59 disciplinary cases.
- Mr. Dustin Metz, Assistant General Counsel, reported that as of March 7, 2012, there were 321 cosmetology cases in the legal section.
- The board approved seven licensure applications and denied 20 licensure applications.
- The board approved two initial HIV/AIDS course applications, approved one continuing education provider application, approved seven continuing education course applications, denied three continuing education course applications, denied two body wrapping course applications, approved five hair braiding course applications, and approved one hair braiding course application.
- Ms. Robyn Barineau, Executive Director, reported that the board's operating account balance at December 31, 2011, was over \$3.25 million, and the unlicensed activity account balance for the same period was over \$1.92 million. She added that the

Department projects that these two accounts will maintain a positive cash balance at least through June 30, 2016.

- Ms. Barineau informed the board that the following members were approved to attend the National Interstate Council of State Boards of Cosmetology's (NIC) annual conference in August 2012 in Salt Lake City: Robyn Barineau, Executive Director; Myra Jowers, Chair; Ginny Fincel, Vice Chair; and Laurel Ritenbaugh. All of these ladies serve on NIC committees.
- Ms. Barineau asked that all board members travel to and from board meetings by way of a state-contracted rental car unless they can document a cost savings to drive their personal vehicle.
- Ms. Rachel Clark, Assistant Attorney General, reported on the following rule amendments:
 - Rule 61G5-22.006, Florida Administrative Code – Facials (Including Skin Care and Hair Removal) – rule was amended to remove the portions that contained the curriculum components specific to the stand-alone facial specialty program. The rule now includes only the curriculum requirements for the facials portion of the full cosmetology program. The rule amendment was effective March 26, 2012.
 - Rule 61G5-22.017, Florida Administrative Code – Minimum Curriculum for Facial Specialty Training – rule was created to set apart the curriculum components for the stand-alone facial specialty program. The rule amendment was effective March 26, 2012.
 - Rule 61G5-31.004, Florida Administrative Code – Hair Braiding, Hair Wrapping, and Body Wrapping Course Requirements – technical change to include “body wrapping” in rule title. Ms. Clark will keep the board informed of the progress of this technical change.
 - Rule 61G5-29.001, Florida Administrative Code – Definitions – rule was amended to clarify the term “facials.” Ms. Clark will keep the board informed of the progression of this rule amendment.
- Ms. Barineau mentioned the letter from Mr. Jerry Gardner, Elite, regarding possible changes to continuing education courses. Mr. Gardner was present at the meeting and relayed his concern with the integrity of Board of Cosmetology continuing education courses. Ms. Clark reminded Mr. Gardner that should he be aware of any concerns or problems with courses, he could always file a complaint against the continuing education provider. Mr. Gardner made the following suggestions to the current continuing education course requirements:
 - Require 3,000-4,000 words of text per credit hour.
 - Require a minimum of 35 test questions per continuing education course.
 - Prohibit highlighting or numbering only the answers to test questions.
 - Prohibit the use of postcards or other forms of communication with licensees that undermine the integrity of continuing education courses (i.e., providing test questions with no course content so that the licensee never has to see a text).

The board discussed this matter and understands that some of these suggestions are not feasible, but they did agree to conduct a rules workshop in conjunction with their October meeting to take public input on continuing education courses.

- The board will conduct a rules workshop in conjunction with their October meeting to take public comments on the board's disciplinary guidelines.

- The board asked Ms. Barineau to relay to Mr. Ed Tellechea, Senior Assistant Attorney General, their gratitude and pleasure with having Ms. Clark serve as their board counsel.
- The board asked Ms. Barineau to relay to Mr. Tim Vaccaro, Deputy Secretary of Professional Regulation, and Mr. G.W. Harrell, Director, Division of Professions, their gratitude and pleasure with having Ms. Barineau and Ms. Rowland serve as their Executive Director and Government Analyst.
- Ms. Barineau informed the board of the following meeting dates and locations:
 - July 16 and 17, 2012 – Orlando
 - October 8 and 9, 2012 – Fernandina Beach.

III. Legislation/Rule Promulgation

- There was no legislative or rule promulgation action.

IV. Action Required

- Ms. Clark will prepare final orders from this meeting for filing with the Agency Clerk's Office.
- The board will conduct a rules workshop in conjunction with their October meeting to discuss continuing education courses and the disciplinary guidelines.

Robyn Barineau
Executive Director
April 4, 2012