

# **EXECUTIVE SUMMARY**

## **Board of Cosmetology**

### **I. General Information**

Meeting Type: General Business Meeting  
Meeting Date: Monday, January 7, 2013 and  
Tuesday, January 8, 2013  
Meeting Location: Casa Monica Hotel  
95 Cordova Street  
St. Augustine, Florida 32084

#### Attendees:

Myra Jowers, Chair  
Ginny Fincel, Vice Chair  
Crystal Lackey  
Laurel Ritenbaugh  
Suzanne Wilhoite  
Robyn Barineau, Executive Director, Department of Business and Professional  
Regulation (DBPR)  
Doug Dolan, Assistant Attorney General, Office of the Attorney General  
Libby Henderson, Assistant General Counsel, Office of the General Counsel  
Julie Rowland, Government Analyst, DBPR  
Lori McDonald, Court Reporter  
Other Interested Parties

### **II. Major Issues/Actions**

- Chair Myra Jowers excused the absence of Ms. Monica Smith from the meeting.
- The board considered 11 disciplinary cases.
- Ms. Libby Henderson, Assistant General Counsel, reported that as of January 4, 2013, there were 458 cosmetology cases in the legal section.
- The board approved one licensure application and denied one licensure application.
- The board approved three initial HIV/AIDS course applications, approved 20 continuing education course applications, denied eight continuing education course applications, approved one body wrapping course application, denied three body wrapping course applications, approved seven hair braiding course applications, denied one hair braiding course application, and approved three hair wrapping course applications.
- Ms. Robyn Barineau, Executive Director, reported that the board's operating account balance as of September 30, 2012, was over \$3.447 million, and the unlicensed activity account balance for the same period was over \$1.802 million. She added that \$24,850 was swept from the board's operating account and \$11,832 was swept from the board's unlicensed activity account and transferred to General Revenue. She added that the Department projects that these two accounts will maintain a positive cash balance at least through June 30, 2016.
- The board asked Mr. Doug Dolan, Assistant Attorney General, to open Rule 61G5-22.005, Florida Administrative Code – Sanitation and Sterilization, for discussion at

their April 2013 meeting. They agreed that sterilization should be amended as this process is no longer the industry standard. The board asked Mr. Dolan to bring draft language to the April 2013 meeting for review and discussion.

- The board asked Mr. Dolan to open Rule 61G5-30.006, Florida Administrative Code – Notice of Non-Compliance, for discussion at their April 2013 meeting. They agreed that a violation of the special events allowance should be considered as an NNC on the first violation. The board asked Mr. Dolan to bring draft language to the April 2013 meeting for review and discussion.
- The board asked Mr. Dolan to amend the suggested changes to Rule 61G5-20.002 (2)(d)2.e., Florida Administrative Code, Salon Requirements, to include the requirement to clean and disinfect shampoo bowls, neck rests, facial beds, and any surface which comes in contact with skin in between patrons. The board also 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. The board will review the draft language at their April 2013 meeting.
- For previous amendments to Rules 61G5-30.001, Florida Administrative Code – Disciplinary Guidelines, and 61G5-31.004, Florida Administrative Code – Hair Braiding, Hair Wrapping, and Body Wrapping Course Requirements, the board 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.
- Ms. Crystal Lackey informed the members that she will be resigning her seat on the board after the meeting because of several personal reasons. She thanked them for the opportunity to serve.
- The board welcomed Ms. Henderson back as their prosecutor.
- Ms. Barineau informed the board of the following meeting dates and locations:
  - April 8 and 9, 2013 – Tampa
  - July 15 and 16, 2013 – Orlando
  - October 21 and 22, 2013 – Altamonte Springs.

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

- Mr. Dolan will move forward with drafting the proposed changes to the following rules:
  - 61G5-20.002, Florida Administrative Code – Salon Requirements
  - 61G5-22.005, Florida Administrative Code – Sanitation and Sterilization
  - 61G5-30.006, Florida Administrative Code – Notice of Non Compliance.

### **IV. Action Required**

- Mr. Dolan will prepare final orders from this meeting for filing with the Agency Clerk's Office.

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Robyn Barineau  
Executive Director  
January 10, 2013