

EXECUTIVE SUMMARY

Board of Cosmetology

I. General Information

Meeting Type: General Business Meeting
Meeting Date: Monday, July 19, 2010, and Tuesday, July 20, 2010
Meeting Location: Embassy Suites Hotel
8250 Jamaican Court
Orlando, Florida 32819-9397

Attendees:

Myra Jowers, Chair
Ginny Fincel, Vice Chair
Crystal Lackey
Rosabel Ramos
Laurel Ritenbaugh (attended Monday, July 19, 2010, only)
Monica Smith
Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Jaime Liang, Assistant Attorney General, Office of the Attorney General
Jason White, Assistant General Counsel, Office of the General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
Bonnie Poole, Florida Cosmetology Association (FCA)
Christopher Carpenter, Synergy Entertainment, Inc.
Michelle Holder, Westside Technical School
Mary Dorian, Westside Technical School
Sue Halfhill, Pensacola Junior College
Leslie Fisk, Court Reporter
Other Interested Parties

II. Major Issues/Actions

- Chair Myra Jowers excused Ms. Laurel Ritenbaugh for her absence on Tuesday, July 20, 2010.
- The board approved 26 licensure applications and denied five licensure applications.
- The board approved five hair braiding course applications, approved three hair wrapping course applications, approved five body wrapping course applications, approved two initial HIV/AIDS course applications, approved one continuing education provider application, approved three continuing education course applications, and denied three continuing education course applications.
- Ms. Robyn Barineau, Executive Director, gave an overview of the new statutory language passed during the 2010 Legislative Session, which allows for the issuance of temporary licenses to spouses of military personnel who are stationed in Florida. She added that the department is currently working on the procedures for issuance of the temporary licenses and the application for this process.
- Ms. Sue Halfhill, Pensacola Junior College (PJC), informed the board that PJC will soon offer an advanced esthetics course to individuals who hold a facial specialty

registration. She advised the board that several salons, spas and medical practices have indicated that there is a need for advanced training in the esthetics area, and PJC created this program based on these requests. They understand that no additional registration will be offered through the Department of Business and Professional Regulation. Ms. Michelle Holder, Westside Technical School, informed the board that their institution will also begin offering a similar program.

- Ms. Holder informed the board that she attended a meeting conducted by the Department of Education regarding the creation of a natural hair license. She added that the organizers of the meeting are interested in expanding the hair braider's registration to include extensions and require additional classroom instruction. Ms. Holder added that this natural hair license would fragment the cosmetologist license. Ms. Bonnie Poole, Florida Cosmetology Association (FCA), indicated that the FCA would oppose such a legislative proposal.
- The board voted to send Chair Jowers and Ms. Barineau to the 2010 annual meeting of the National Interstate Council of State Boards of Cosmetology in Seattle, Washington.
- Ms. Barineau informed the board that as of March 31, 2010, the balance in their operating account was over \$1.1 million, and the balance in their unlicensed activity account was over \$901,000. She added that the five-year projections do not include the fee increases to certain fees, which were effective on July 1, 2010. She will provide the board with the financial report for the fiscal year ending June 30, 2010, at the October meeting.
- Ms. Barineau informed the board that Florida will be the host state for the 2011 annual meeting of the National Interstate Council of State Boards of Cosmetology. The meeting will be conducted in Fort Lauderdale.
- Ms. Barineau informed the board that service of process of Administrative Complaints will change in accordance with legislation that passed during the 2010 Legislative Session. She will meet with Ms. Jaime Liang, Assistant Attorney General, discuss the changes, and discuss any impact at the board's October meeting.
- The board voted to approve the changes to Rule 61G5-22.017, Florida Administrative Code – Minimum Curriculum for Facial Specialty Training, and asked Ms. Liang to move forward with adoption:

61G5-22.017 – Minimum Curriculum for Facial Specialty Training.

(1) At a minimum, the curriculum of schools and programs specified in Section 477.0201, F.S., shall include the following hours of instruction in the indicated theory items:

<u>TOPIC</u>	<u>HOURS</u>
<u>(a) Florida Laws and Rules</u>	<u>5</u>
<u>(b) HIV and AIDS</u>	<u>4</u>
<u>(c) Sanitation</u>	<u>10</u>
<u>(d) Ethics</u>	<u>2</u>
<u>(e) Basics of Electricity</u>	<u>8</u>
<u>(f) Facial Techniques and Contraindications</u>	<u>66</u>
<u>(g) Product Chemistry</u>	<u>8</u>
<u>(h) Hair Removal</u>	<u>2.5</u>
<u>(i) Makeup</u>	<u>2</u>
<u>(j) Skin Theory, Disease and Disorders of the Skin</u>	<u>85</u>

(2) The curriculum shall also include the performance of the following specified services as indicated as well as the estimated total number of hours needed to complete the required number of services:

<u>TYPE OF SERVICE</u>	<u>NUMBER OF SERVICES</u>	<u>HOURS REQUIRED</u>
<u>(a) Facials, manual and mechanical, including masks, packs or treatments which must be performed on a variety of skin types including normal, oily, dry, combination, problem, and mature</u>	<u>40</u>	<u>40</u>
<u>(b) Set up, use and maintenance of electrical devices</u>	<u>5</u>	<u>1.25</u>
<u>(c) Hair removal, including tweezing, waxing, threading, and sugaring</u>	<u>20</u>	<u>5</u>
<u>(d) Makeup application for both day time and nighttime looks</u>	<u>10</u>	<u>5</u>
<u>(e) Lash and brow tinting</u>	<u>10</u>	<u>5</u>
<u>(f) Eyelash application, including strip lashes, individual lashes, and semi-permanent lashes</u>	<u>10</u>	<u>10</u>
<u>(g) Manual Extractions</u>	<u>5</u>	<u>1.25</u>

(3) Definition of Services: Services shall be a facial, a client consultation/skin analysis; exfoliation, either manual, mechanical or chemical; cleansing; toning; manipulations; and packs, masks, or other treatments as needed.

This change is intended to make it clear in the minimum curriculum rule chapter as to what the requirements are for a stand-alone facial specialty program compared to the facial and skin care requirements included within the cosmetology curriculum.

- The board voted to approve the changes to Rule 61G5-22.006, Florida Administrative Code – Facials (Including Skin Care and Hair Removal), and asked Ms. Liang to move forward with adoption:
 - (1) Objective: To gain information and knowledge to give a facial massage treatment using oils, creams, lotions, or other preparations to properly protect the client from significant damage and to describe chemicals, implements and techniques used in hair removal.
 - (2) Learning Objectives:
 - (a) To explain the structure and function of skin;
 - (b) To describe diseases of the glands;
 - (c) To recognize lesions;
 - (d) To describe basic facial massage movements;
 - (e) To recognize and define the various types of corrective facials;
 - (f) To describe products used and the purpose of each;
 - (g) To understand the purpose and effects of muscle toning;
 - (h) To describe the benefits and nature of light therapy;
 - (i) To analyze and correct improper brow shapings;
 - (j) To describe the proper steps in removing hair through tweezing or waxing; and
 - (k) To understand the safety precautions to follow in the use of electrical apparatus in hair removal;

- (l) To apply make-up.
- (3) Performance Objectives:
- (a) To use the materials and equipment required in giving facials;
 - (b) To perfect procedures and manipulations;
 - (c) To use the proper steps and safety precautions in giving facial treatments for varied types of skin;
 - (d) To analyze and correct improper brow shapings; and
 - (e) To remove superfluous hair on the head, face or neck through epilation and/or depilation, excluding electrolysis.
- (4) Services required: ten (10).
- ~~(5) Definition of Services: Services shall be a facial, a client consultation/skin analysis; exfoliation, either manual, mechanical or chemical; cleansing; toning; manipulations; and packs, masks, or other treatments as needed.~~
- ~~(6) At a minimum, the curriculum of schools and programs specified in Section 477.0201, F.S., shall include the following hours of instruction in the indicated theory items:~~

TOPIC	HOURS
(a) Florida Laws and Rules	5
(b) HIV and AIDS	4
(c) Sanitation	10
(d) Ethics	2
(e) Basics of Electricity	8
(f) Facial Techniques and Contraindications	66
(g) Product Chemistry	8
(h) Hair Removal	2.5
(i) Makeup	2
(j) Skin Theory, Disease and Disorders of the Skin	85

~~(7) The curriculum shall also include the performance of the following specified services as indicated as well as the estimated total number of hours needed to complete the required number of services:~~

TYPE OF SERVICE	NUMBER OF SERVICES	HOURS REQUIRED
(a) Facials, manual and mechanical, including masks, packs or treatments which must be performed on a variety of skin types including normal, oily, dry, combination, problem, and mature	40	40
(b) Set up, use and maintenance of electrical devices	5	4.25
(c) Hair removal, including tweezing, waxing, threading, and sugaring	20	5
(d) Makeup application for both day time and nighttime looks	10	5
(e) Lash and brow tinting	10	5
(f) Eyelash application, including	10	10

~~strip lashes, individual lashes, and
semi-permanent lashes~~
(g) Manual Extractions

5

4.25

This change is intended to remove the portion related to the stand-alone facial specialty program compared to the facial and skin care requirements included within the cosmetology curriculum.

- The board approved the following change to the title of Rule 61G5-31.004, Florida Administrative Code – Hair Braiding, and Hair Wrapping, and Body Wrapping Course Requirements, and asked Ms. Liang to move forward with adoption.
- The board asked that reference dates be included in hair braiding, hair wrapping, body wrapping, and initial HIV/AIDS course materials. The board will discuss this topic at the October meeting.
- The board briefly discussed keratin treatments and formaldehyde contained in keratin products. The board would like to promulgate a rule to require all salons to maintain copies of Manufacturer Safety Data Sheets (MSDSs) on all products used in a salon so that inspectors can see how much keratin is contained in any particular product. If salons do not have MSDSs on all products, the board would like to be able to issue a citation. Ms. Liang is going to research this initiative for further discussion at the October meeting.
- The board considered 25 disciplinary cases, which included two Recommended Orders.
- Mr. Jason White, Assistant General Counsel, reported that as of June 17, 2010, there were 333 cosmetology cases in the legal section.
- Ms. Barineau informed the board of the following meeting dates and locations:
 - October 25 and 26, 2010 – Gainesville
 - January 24 and 25, 2011 – Fernandina Beach
 - April 18 and 19, 2011 - Tampa

III. Legislation/Rule Promulgation

- Ms. Liang will move forward with adoption of the changes to Rule 61G5-22.017, Florida Administrative Code – Minimum Curriculum for Facial Specialty Training.
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- The board approved the following change to the title of Rule 61G5-31.004, Florida Administrative Code – Hair Braiding, and Hair Wrapping, and Body Wrapping Course Requirements, and asked Ms. Liang to move forward with adoption.

IV. Action Required

- Ms. Liang will prepare final orders from this meeting for filing with the Agency Clerk's Office.
- Ms. Barineau and Ms. Liang will meet to discuss the changes to service of process and report on this issue at the October meeting.
- The board will discuss requiring source material dates for all hair braiding, hair wrapping, body wrapping, and initial HIV/AIDS courses at the October meeting.

- Ms. Liang with research whether or not all salons can be required to maintain MSDSs on products and if they can be cited for failure to maintain MSDSs on all products. She will provide the findings of her research at the October meeting.

Robyn Barineau
Executive Director
July 21, 2010