

## **EXECUTIVE SUMMARY**

### **Board of Cosmetology**

#### **I. General Information**

Meeting Type: General Business Meeting  
Meeting Date: Monday, October 25, 2010,  
and Tuesday, October 26, 2010  
Meeting Location: Hampton Inn and Suites  
101 S.E. 1<sup>st</sup> Avenue  
Gainesville, Florida 32601

**Attendees:**

Myra Jowers, Chair  
Ginny Fincel, Vice Chair  
Crystal Lackey  
Laurel Ritenbaugh  
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  
Sharon Philman, Inspector, Gainesville Bureau of Investigative Services (BIS), DBPR  
Deborah Philman, Investigator, Gainesville BIS, DBPR  
Dan Dickans, Investigator, Gainesville BIS, DBPR  
Bonnie Poole, Florida Cosmetology Association (FCA)  
Steve LeBlanc, Court Reporter  
Other Interested Parties

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

- Chair Myra Jowers excused Ms. Rosabel Ramos' absence from the meeting.
- The board approved 26 licensure applications and denied six licensure applications.
- The board approved six hair braiding course applications, approved four hair wrapping course applications, approved three body wrapping course applications, approved two initial HIV/AIDS course applications, and approved three continuing education course applications.
- The board 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. The board asked Ms. Liang to open the salon rule and the citation rule for discussion at the January 2011 meeting.
- Ms. Robyn Barineau, Executive Director, will contact her counterparts through the National Interstate Council of State Boards of Cosmetology (NIC) to see how they are dealing with the use of keratin treatments in salons and report her findings at the January 2011 meeting.

- Ms. Liang will provide the board with an overview of the rulemaking process at the January 2011 meeting.
- Ms. Barineau informed the board that as of June 30, 2010, the balance in their operating account was over \$355,000, and the balance in their unlicensed activity account was over \$929,000. She added that the five-year projections include the fee increases to certain fees which were effective on July 1, 2010, and, accordingly, the board should maintain a positive cash balance at least through June 30, 2015.
- 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.
- The board considered 32 disciplinary cases.
- Mr. Jason White, Assistant General Counsel, reported that as of September 20, 2010, there were 317 cosmetology cases in the legal section.
- The board asked Ms. Liang to open Rule 61G5-17.016, Florida Administrative Code – Time for Payment of Administrative Fines, for discussion at the January 2011 meeting. The board would like to add language to the existing rule to allow for suspension of a license should payment of a fine and/or costs should not be paid within 30 days after the entry of the final order.
- Ms. Barineau informed the board of the following meeting dates and locations:
  - January 24 and 25, 2011 – Fernandina Beach
  - April 18 and 19, 2011 - Tampa

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

- Ms. Liang will move forward with opening the following rules for discussion at the January 2011 meeting: Rule 61G5-20.002, Florida Administrative Code – Salon Requirements, and Rule 61G5-30.004, Florida Administrative Code – Citations.
- Ms. Liang will move forward with opening Rule 61G5-17.016, Florida Administrative Code – Time for Payment of Administrative Fines, for discussion at the January 2011 meeting.

### **IV. Action Required**

- Ms. Liang will prepare final orders from this meeting for filing with the Agency Clerk's Office.
- Ms. Barineau will contact NIC regarding how other states are dealing with the use of keratin treatments in salons.
- Ms. Liang will provide the board with an overview of the rulemaking process at the January 2011 meeting.

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Robyn Barineau  
 Executive Director  
 September 27, 2010