

EXECUTIVE SUMMARY Board of Cosmetology

I. General Information

Meeting Type: General Business
Meeting Date: Sunday, October 2, 2005
Meeting Location: Marriott Tampa Airport
Tampa International Airport
Tampa, Florida 33607

Attendees:

Mary Blanco, Chair
Joseph Caetano, Vice Chair
Donna Osborne
Laura Brown
Laurel Ritenbaugh
Monica Smith
Robyn Barineau, Executive Director, DBPR
Dan Biggins, Assistant Attorney General, Department of Legal Affairs
Charles Tunnicliff, Assistant General Counsel, Office of the General Counsel, DBPR
Cameron Doherty, Assistant General Counsel, Office of the General Counsel, DBPR
Dana Ewaldt, Government Analyst, DBPR
Lyra Erath, Psychometrician, Bureau of Education and Testing, DBPR
Mary Croom, Court Reporter
Jerry Gardner, Elite Continuing Education
Bonnie Poole, Florida Cosmetology Association
Brenda Ogle, Department of Revenue
Nancy Bradley, Commission for Independent Education (CIE)
Kasonga Butler Nelson, CIE
Myra Jowers, Florida Community College at Jacksonville (FCCJ)
Yvonne Jefferson, Hillsborough County School System
Rena Wood, Withlacoochee Technical Institute
Linda Balboa, LaBelle Beauty Academy
Lorraine McManus, Atlantic Technical Institute
Mado Jaimangal, Academy of Beauty and Business
John Conley, The Hairwraps Company
Jerry Gardner, Elite
Kirby Morris, National Interstate Council of State Boards of Cosmetology (NIC)
Larry Walters, NIC
Suzanne Dailey, LaserGrade
Deborah Roope, DL Roope Administration
Patricia Boone
Amelia Goodman
Thanh Nguyen, Beautiful Nails, Respondent

Stacy Wyszowski, Applicant
Karen Boksner, Applicant
Aleksandr Boksner, Attorney for Karen Boksner

II. Major Issues/Actions

- Chair Mary Blanco noted that Mr. Anthony White's absence from meeting was considered unexcused as he had not contacted board staff informing them of his absence
- The board considered the following matters:
 - 17 disciplinary cases
 - 2 cosmetology examination application
 - 1 cosmetology endorsement application
 - 6 hair braiding course applications
 - 3 hair wrapping course applications
 - 8 body wrapping course applications
 - 5 continuing education course applications
 - 9 initial HIV/AIDS course applications
- Mr. Charles Tunncliff, Assistant General Counsel, reported there are currently 190 cosmetology cases in the legal section
- The board discussed the possibility of criminal prosecution for repeat offenders with Methyl Methacrylate (MMA) violations
- Ms. Brenda Ogle, Taxpayer Specialist with the Department of Revenue (DOR), addressed the board and gave a brief overview of the taxpaying responsibilities of a booth renter and other compliance issues; Ms. Ogle distributed materials relating to taxpaying responsibilities and sales and use tax and informed the board that this information can be reproduced and included in a board newsletter
- Mr. Kirby Morris, National Interstate Council of State Boards of Cosmetology (NIC): Deborah Roope, DL Roope Administrations; and Suzanne Dailey, LaserGrade gave presentations on the examination services (written and practical) currently offered by NIC for the cosmetology professions
- Ms. Lyra Erath, Psychometrician, advised the board that the Bureau of Education and Testing is ready and willing to assist the board with any examination needs including strength and weakness reports, school reports, and workshops with the Department of Education and the Commission for Independent Education; Ms. Erath provided the members with her business card and her offer of assistance
- Ms. Nancy Bradley, member of the Commission for Independent Education (CIE), and Ms. Kasongo Butler Nelson, Assistant Executive Director of the CIE, both expressed their objection with the effective dates included in the board's 2006 legislative proposal; the board agreed to amend the effective dates referenced throughout the proposal from July 1, 2006, to January 1, 2007
- The board approved the requests of Hua Shan Shen and Gloria Fuertes to have the cosmetology examination translated into Chinese and Vietnamese
- Ms. Robyn Barineau, Executive Director, informed the board of the department's new Secretary, Simone Marsteller

- Ms. Barineau again reminded the board of the continuing education initiative; she reminded the board that licensees not meeting all continuing education requirements would not be allowed to renew their licenses
- Ms. Barineau informed the board that the year end financial statement included in the agenda shows the board's operating account in deficit of approximately (\$900,000); the board expressed their desire to increase fee caps as outlined in the 2006 legislative proposal to address the deficit
- Mr. Dan Biggins, Assistant Attorney General, mentioned the draft disciplinary guidelines included in the agenda, and the board agreed to table this matter for further review at the January 2006 board meeting
- Mr. Biggins gave a brief overview of the Sunshine Law and the ramifications for violations of the Sunshine Law
- Ms. Barineau informed the board that the email from Secretary Marsteller, the newsletter from the National Commission of Cosmetology Arts & Sciences, Inc. (NACCAS), and the Complaints and Investigative Statistics Report for September 2005 were included in the agenda for informational purposes
- Ms. Donna Osborne distributed a synopsis of the NIC Conference and informed the board that there were many interesting presentations; she suggested the board consider hosting a NIC Conference in the future as there are very minimal costs associated with hosting the event
- The board agreed to conduct the next meeting on Sunday, January 22, 2006, at 9 a.m. in either Miami, Florida, or Tampa, Florida

III. Legislation/Rule Promulgation

- Mr. Biggins will amend the board's 2006 legislative draft to change all effective dates from July 1, 2006, to January 1, 2007, and provide the amended draft to board staff and Ms. Susan Lehr

IV. Action Required

- Mr. Biggins and Mr. Tunnicliff will prepare final orders from this meeting for filing with the Agency Clerk's Office
- The board will discuss the draft disciplinary guidelines at the next board meeting
- The board asked that a representative from the department's inspection area be present at the next in person board meeting to address any questions or concerns the board may have relating to booth rental inspections and other general inspection questions
- The board chair asked that restructuring continuing education be included on the next meeting agenda for discussion
- The board asked Ms. Barineau to extend an invitation to Promissor to attend the next board meeting for a presentation on their examination services in accordance with their letter included in the agenda

- The board asked the Bureau of Education to provide them with the pass/fail rates for five years prior to Promissor being selected as the written examination vendor
- The board asked that NIC be contacted and asked to provide their pass/fail rates for all disciplines

Robyn Barineau
Executive Director
October 6, 2005