

# **EXECUTIVE SUMMARY**

## **Board of Cosmetology**

### **I. General Information**

Meeting Type: General Business  
Meeting Date: Sunday, January 11, 2004  
Meeting Location: Department of Business and Professional Regulation  
Northwood Centre, Board Room  
1940 North Monroe Street  
Tallahassee, Florida 32399

#### Attendees:

Mary Blanco, Chair  
Joseph Caetano, Vice Chair  
Donna Osborne  
Laura Brown  
Monica Smith  
Diane Carr, Secretary, DBPR  
Candace Jones, Director, Legislative Affairs, DBPR  
Jerry Wilson, Deputy Director, Division of Professions and Regulation, DBPR  
Julie Malone, Executive Director, DBPR  
Erica Glover, Assistant Attorney General, Department of Legal Affairs  
Diane Guillemette, Assistant Attorney General, Department of Legal Affairs  
Drew Winters, Assistant General Counsel, Office of the General Counsel, DBPR  
Susan Wilkinson, Office of the General Counsel, DBPR  
Robyn Barineau, Government Analyst, DBPR  
Sue Habershaw, Court Reporter  
Susan Albershardt, Commissioner, Governor's Office of Film and Entertainment  
Robert Valdez, Florida Cosmetology Schools Association  
Bonnie Poole, Florida Cosmetology Association  
Nadine Forbes, Steiner Education Group  
April Lowe, Hair Jamaica  
Portia Washington, Hair Trends  
Cynthia Glover, Hair Trends  
Lynette Beuligmann, Puttin on the Ritz Salon

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

- Chair Mary Blanco excused Ms. Anthony White's absence from the board meeting
- The board considered the following matters:
  - 26 disciplinary cases
  - 4 continuing education provider applications
  - 25 continuing education course applications
  - 4 hair braiding course applications
  - 1 hair wrapping course application
  - 1 body wrapping course application

- Mr. Drew Winters, Assistant General Counsel, reported there are currently 131 cosmetology cases in the legal section
- Secretary Diane Carr and Florida Film Commissioner Susan Albershardt explained the narrowly crafted legislative proposal to exempt make up artists from licensure in Florida being sponsored by Representative Don Davis and Senator Jim Sebesta; Secretary Carr mentioned the department's proposal to move forward simultaneously with the board's legislative proposal to ban MMA; Secretary Carr added that the department hopes to be able to work with the board on their reciprocity initiative
- Ms. Bonnie Poole, Florida Cosmetology Association, mentioned that the association would not support the make up artist exemption
- Mr. Robert Valdez, Florida Cosmetology Schools Association, indicated there needs to be a reasonable agreement between the film industry and the cosmetology industry
- The board approved the amendments to Rule 61G5-30.004, F.A.C., as included in the agenda
- The board agreed to amend Rule 61G5-24.002(1)(b), F.A.C, to increase the examination fee paid to the department to \$23 and decrease the examination fee paid to the professional testing vendor to \$27
- Ms. Julie Malone, Executive Director, informed the board that as of September 30, 2003, the board's cash balance was (\$687,574) and the board's expenditures appear to be outpacing the board's revenues annually by a sum of \$250,000; she advised the board that she needs to further investigate this matter
- The board agreed to conduct its next meeting on Sunday, April 18, 2004, at one of three locations: Sanibel Island, Key West or Orlando
- Ms. Mary Blanco and Mr. Joseph Caetano were reelected Chair and Vice Chair, respectively, of the Board of Cosmetology

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

- The board approved the citation rules as amended
- The board approved the recommended amendments to Rule 61G5-24.002(1)(b), F.A.C, increasing the examination fee paid to the department to \$23 and decreasing the examination fee paid to the professional testing vendor to \$27
- Ms. Erica Glover, Assistant Attorney General, will notice for rule development Rule 61G5-24.006, F.A.C., for discussion of amending the reexamination fees in conjunction with the new professional testing vendor contract which decreases the hourly rate charged to examination candidates
- Ms. Glover will notice for rule development Rule 61G5-24.005, F.A.C., for discussion

### **IV. Action Required**

- Ms. Glover and Mr. Winters will prepare final orders from this meeting for filing with the Agency Clerk's Office
- Ms. Malone will research and report her findings to the board why hair braiding, hair wrapping, and body wrapping providers are allowed to come before the board

for provider approval without being licensed by the Commission for Independent Education

- Ms. Malone will contact Caridad X. Zamora, continuing education provider, and have them forward their course materials for HIV/AIDS Prevention for review
- Ms. Malone will contact American Institute of Massage Therapy, Inc., continuing education provider, and ask that they delete "Turnberry" from their proposed service offerings as it appears to be advertising
- Secretary Carr and Ms. Malone will keep the board informed about the following legislative proposals: make up exemption, MMA and reciprocity
- Ms. Malone will inquire and report to the board about the electronic reporting for continuing education providers and there not being a category for providers to submit elective courses successfully completed by licensees
- Ms. Malone will research and report to the board how a trust fund can be swept without a profession's knowledge and whether or not consideration is given to a profession if they are in a deficit position
- Ms. Malone will provide the board with a detailed accounting on the potential of increasing fees allowable by rule
- Mr. Jerry Wilson, Deputy Director, Division of Professions and Regulation, will address the board's request to have individuals from the department's budget office and other areas present at the next board meeting
- The board will revisit, at the next meeting, increasing the educational hours and licensure/registration requirements for facial specialists, nail specialists and cosmetologists; the letters included in the 01/11/04 agenda related to increasing educational hours will be included in the next board meeting agenda
- Ms. Brown will provide Mr. Valdez with the name of the lobbyist for Dennis Ratnor Companies
- Ms. Malone will check with Regulation to determine if they can collect wedding planning guides in Florida and target unlicensed activity included in these guides
- Ms. Malone will research whether or not airbrush tanning falls under the jurisdiction of the Department of Health and report her findings to the board at the next meeting
- Ms. Diane Guillemette, Assistant Attorney General, will research requiring licensees to place their license numbers in advertisements and report her findings to the board at the next meeting

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Julie Malone  
Executive Director  
January 13, 2004