

EXECUTIVE SUMMARY
Board of Cosmetology

I. General Information

Meeting Type: General Business
Meeting Date: Sunday, April 18, 2004
Meeting Location: Adams Mark Hotel Orlando
1500 Sand Lake Road
Orlando, Florida 32809

Attendees:

Joseph Caetano, Vice Chair
Donna Osborne
Laura Brown
Monica Smith
Anthony White
Julie Malone, Executive Director, DBPR
Diane Guillemette, Assistant Attorney General, Department of Legal Affairs
Drew Winters, Assistant General Counsel, Office of the General Counsel, DBPR
Robyn Barineau, Government Analyst, DBPR
Dana Ewaldt, Administrative Assistant, DBPR
Mary Crew, Department of Education
Maryellen O'Brien, Court Reporter
Robert Valdez, Florida Cosmetology Schools Association
Bonnie Poole, Florida Cosmetology Association
Nadine Forbes, Steiner Education Group
John Conley, The Hairwraps Company, Inc.
Michelle Holder, Orange County Public Schools
Mez Varol, International Academy
Patti Migliorato, Pazazz Salon
Geri Cole, Pazazz Salon
Lynette Beuligmann, Puttin on the Ritz Salon
Shelly Sizemore, Student at Westside Tech
Cicely T. Powell-Hodge, Student at Westside Tech
Ana Sepulveda, Apples Beauty Center, Respondent
CeCe Silvera, Respondent
Candice McKenzie, Xclusive Cuts, Inc., Respondent
Adelina Valdez, All City Hair Designs, Respondent
Elise Ranieri, Respondent
Peter Ranieri
Mary White

II. Major Issues/Actions

- Vice Chair Joseph Caetano excused Chair Mary Blanco's absence from the board meeting
- The board considered the following matters:
 - 28 disciplinary cases
 - 1 continuing education provider application
 - 15 continuing education course applications
 - 3 hair braiding course applications
 - 2 body wrapping course applications
 - 1 HIV/AIDS initial licensure course application
- Mr. Drew Winters, Assistant General Counsel, reported there are currently 175 cosmetology cases in the legal section
- Ms. Donna Osborne explained her proposal to increase nail curriculum hours from 240 to 500 hours and facial curriculum hours from 260 to 600 hours; requiring individuals to pass a state examination which results in licensure rather than registration; renaming manicure/pedicure/nail extension registrants to nail technicians and facial specialists to estheticians; and phasing out, over a three year period, current manicure/pedicure/nail extension registrants and facial specialists, requiring these registrants to pass the state examination to upgrade their registrations
- Ms. Osborne solicited assistance from the industry with these proposals
- Mr. Robert Valdez, Florida Cosmetology Schools Association, reminded the board about his handout distributed at the July 2003 board meeting creating a hair stylist license
- Mr. Valdez asked the board to leave their proposals open-ended, but specific, so as not to create a hardship on students who must work while attending school
- Ms. Mary Crew, Department of Education, supports increasing nail and facial curriculum hours but informed the board that increasing these hours would increase the cosmetology curriculum hours and would affect school occupational completion points and student funding
- Mr. Mez Varol, International Academy, asked that the industry be consulted when drafting this legislation and that license requirements such as those required by Oregon, Colorado and Nevada be considered
- Mr. Valdez asked that any legislative drafts be provided to interested parties prior to the next meeting
- Ms. Julie Malone, Executive Director, informed the board that there was no sweep of the board's operating or unlicensed activity accounts by the Legislature
- Ms. Malone informed the board that this statutory exemption requires that providers of hair braiding, body wrapping and hair wrapping courses only be approved by the board
- Ms. Malone updated the board with the legislation regarding CS/SB1530 and HB467 – Make-up Artists/MMA
- Chair Caetano indicated the Make-up Artists/MMA bill passed the House
- Ms. Bonnie Poole, Florida Cosmetology Association, says this legislation will deregulate the cosmetology industry and will become law July 1, 2004

- Ms. Poole added that this legislation does not address wedding planners, and the department will need more inspectors and investigators to police wedding planners
- Mr. Valdez mentioned that the Florida Cosmetology Schools Association was against this legislation but that he asked the department and the Governor's Film Commission to contact him to work toward a compromise
- Mr. Valdez stated that the legislation exempts qualified Florida productions and that the Home Shopping Network is not considered a qualified Florida production
- Ms. Lynette Beuligmann, Puttin on the Ritz, informed the board that this legislation endangers the public and licensees to unsanitary conditions and is discriminatory to licensees
- Ms. Malone updated the board with the legislation regarding SB2530 and HB1611 – Apprenticeship; she added that the Senate version is not currently moving and the House version has been amended deleting the creation of a cosmetology apprenticeship program
- The board agreed to amend Rule 61G5-24.006, F.A.C, to increase the reexamination fee paid to the department to \$23 and decrease the reexamination fee paid to the professional testing vendor to \$27
- Ms. Guillemette informed the board that the newly amended citation rules are now effective
- Ms. Guillemette gave a brief overview of the Domestic Violence Initiative sponsored by the Attorney General's Office
- The board agreed to mail the next newsletter to salons and post the newsletter on the board's web page and all following newsletters will only be posted on the web page
- The board agreed to conduct its next meeting to address the Petition for Waiver of Ms. Shannon Haas and Ms. Vicki Canto on Wednesday, June 30, 2004, and the next in-person board meeting will be conducted on Sunday, July 25, 2004, at 9 a.m., in Tampa, Florida

III. Legislation/Rule Promulgation

- Ms. Guillemette and Ms. Osborne will work together on a legislative proposal regarding nail and facial specialties
- Mrs. Laura Brown asked that the following initiatives be placed on the July agenda for discussion and possible pursuit during the 2005 legislative session: cosmetology definitions, reciprocity, and license numbers in advertisements
- The board agreed to amend Rule 61G5-24.006, F.A.C, to increase the reexamination fee paid to the department to \$23 and decrease the reexamination fee paid to the professional testing vendor to \$27
- Ms. Guillemette will notice for rule development the rules relating to hair braiding, body wrapping, and hair wrapping courses for discussion at the next board meeting

IV. Action Required

- Ms. Guillemette and Mr. Winters will prepare final orders from this meeting for filing with the Agency Clerk's Office
- Ms. Guillemette will research Motions for Default versus Motions for Waiver of Rights and Final Orders
- Ms. Cecilia Silvera will forward a copy of a continuing education provider's incorrect publication to Ms. Malone for proper handling
- Ms. Malone will contact Hair Braiding Education and Training Seminars asking that they provide, as a courtesy, a detailed outline for the sanitation and sterilization portion of their hair braiding course
- Ms. Guillemette and Ms. Osborne will work together on a legislative proposal regarding nail and facial specialties for discussion at the next board meeting
- Ms. Crew and Mr. Valdez asked that copies of the proposal be provided to them prior to the next board meeting
- Mr. Valdez will provide Ms. Crew with a copy of his handout distributed at the July 2003 board meeting regarding a national cosmetology program
- Ms. Malone will inform Mr. Mark Bateh that the information he provided from another continuing education provider does not appear to be inaccurate or fraudulent
- Ms. Malone will provide the board with a detailed five year revenue projection
- Ms. Malone will research and provide the board with the number of inspectors employed by the department and how many inspections are required of each inspector each year
- Ms. Malone will include articles in the upcoming newsletter regarding accessing the board's web page, the unauthorized use of another's license, and how to contact the department to lodge a complaint
- Ms. Malone will research if schools can obtain pin numbers for accessing applicant information
- Ms. Guillemette will research requiring an outline for hair braiding, hair wrapping and body wrapping courses
- Ms. Malone will inform Mr. Van Cao that the board reviewed his letter for future possible legislative changes
- Ms. Malone will inform Mr. Gerardo Schlossberg that although his wax recycling system is not prohibited, he must adhere to sanitation and sterilization rules and the board is not certain that heating previously used wax to 212 degrees for three to five minutes is sufficient

Julie Malone
Executive Director
April 28, 2004