

EXECUTIVE SUMMARY
Board of Cosmetology

I. General Information

Meeting Type:	General Business
Meeting Date:	Sunday, January 9, 2005
Meeting Location:	The Florida Mall Hotel 1500 Sand Lake Road Orlando, Florida 32809

Attendees:

Mary Blanco, Chair
Donna Osborne
Laura Brown
Laurel Ritenbaugh
Julie Malone Garofalo, Executive Director, DBPR
Dan Biggins, Assistant Attorney General, Department of Legal Affairs
Charles Tunncliff, Assistant General Counsel, Office of the General Counsel,
DBPR
Robyn Barineau, Government Analyst, DBPR
Leetha Wheeler, Court Reporter
Karina Rolnik, Steiner Education Group
John Conley, The Hairwraps Company, Inc.
Rena Wood, Withlacoochee Technical Institute
Myra Jowers, Florida Community College at Jacksonville
Louise Hersey, Normandy Beauty School
Michelle Holder, Orange County Public School System
Rocco DiBernardo, SOS
Lacey Wells, Student at Institute for Creative Enhancement
Jacky Puckett, Student at Institute for Creative Enhancement
Juan Alberto, Hair Garden Salon, Inc., Respondent
Janie Soliz, Janie's Beauty Shop, Respondent
Marcie West Bishop, Respondent
Shikeca Cooper, Examination Applicant
Bozena J. Sicari, Endorsement Applicant
Pamela Batchelor
Kim VanFossen
Patricia Boone
Steve Sicari

II. Major Issues/Actions

- The board considered the following matters:
 - 1 motion for reconsideration
 - 25 disciplinary cases
 - 1 cosmetology endorsement application
 - 1 cosmetology examination application
 - 3 hair braiding course applications
 - 3 hair wrapping course applications
 - 4 body wrapping course applications
 - 1 HIV/AIDS initial licensure course application
 - 1 continuing education course application
- Mr. Charles Tunncliff, Assistant General Counsel, reported there are currently 158 cosmetology cases in the legal section
- Mr. Tunncliff informed the board that department inspectors are aware of indicating on a citation as to who committed a law or rule violation
- Mr. Tunncliff provided board members with his telephone numbers for assistance with complaints
- Ms. Michelle Holder, Orange County Public School System, informed the board that the unnamed group of salon owners and school owners which will lobby the board's 2005 legislative proposal has deleted the portion of the board's proposal suggesting to license cosmetic demonstrators as the Florida Retail Federation would not support licensing cosmetic demonstrators
- Ms. Holder informed the board that there is a house and a senate sponsor for their 2005 legislative proposal and these sponsors intend to simultaneously introduce this legislation to their respective legislative bodies
- Ms. Holder stated that Mr. Dan Washburn submitted a letter late last week asking for justification of the educational hours increase
- Ms. Holder informed the board that the unnamed lobbying group is concerned with increasing the administrative fine cap per count from \$500 to \$5,000 and increasing the refresher course hours cap from 48 hours to 500 hours; she added that additional concern has been expressed to the lobbying group not only over the increase in educational hours, but also with the creation of new licenses and new examinations; Ms. Holder expressed her personal concern with allowing students to work after graduation and before licensure indicating that legislators may question the need for licensure if a student is allowed to work immediately after completing school
- Ms. Jacki Knudsen, Pensacola Junior College, inquired if the proposed legislation would allow holders of a hair stylist license, a nail technician license, and an esthetician license to combine all three licenses into a cosmetology license without additional examination; Ms. Holder will relay this concern to the lobbying group but believes this situation can be addressed by board rule
- Ms. Julie Malone Garofalo, Executive Director, informed the board that as of September 30, 2004, their cash balance was (\$617,220)

- Ms. Garofalo informed the board that the Information Technology expense includes payment for technology support, the benefit share for the Accenture contract through 2006, and the 41 cents per license fee paid to Accenture which concludes in 2009
- Ms. Garofalo advised the board that the Board of Cosmetology newsletter was mailed to all salons in December 2004 and is currently posted on the board's website
- Ms. Garofalo informed the board that the National Interstate Council of State Boards of Cosmetology (NIC) Bulletin/October 2004 and the National Coalition of Esthetic & Related Associations (NCEA) Esthetic Equipment Registry (EER) was included in the agenda for informational purposes
- Ms. Donna Osborne reported that she contacted NIC for additional information on their national testing program; she stated that NIC provides testing centers for both their written and practical examinations; the per candidate cost for administration of the NIC written examination is \$75 with examination results provided to the candidate immediately and the per candidate cost for administration of the NIC practical examination is \$45 with examination results provided to the candidate within 48 hours
- Ms. Holder informed the board that she is personally against administering a state practical examination as it delays the licensure process
- Ms. Garofalo informed the board that she will be leaving the department in February 2005 and thanked them for the opportunity to work with the board
- Mr. Dan Biggins, Assistant Attorney General, distributed a rules report detailing all outstanding board rules
- Ms. Garofalo advised the board that the Complaints and Investigative Statistics Report for July 1, 2004, through October 31, 2004, was included in the agenda for informational purposes
- Ms. Garofalo informed the board that the email to Ms. Susan Tobin dated October 18, 2004, was included in the agenda for informational purposes
- Ms. Garofalo referred the board to email from two anonymous writers and one email from Ms. Shannon Gray regarding onsite hair and makeup services and the board agreed that the writers' concerns will be addressed through their 2005 proposed legislation
- The board agreed to conduct its next meeting on Sunday, April 10, 2005, in Tampa, Florida
- The board elected Ms. Mary Blanco, Chair, and Mr. Joseph Caetano, Vice Chair, of the Board of Cosmetology

III. Legislation/Rule Promulgation

- Mr. Biggins will provide the board with an extensive draft of the disciplinary guidelines at the next board meeting
- Mr. Biggins will notice rule 61G5-18.011, F.A.C, for rule development so that the board can discuss designating an hour requirement for the initial HIV/AIDS course at the next board meeting

- The board will discuss rule 6E-2.004, F.A.C. – Standards and Procedures for Licensure at the next board meeting the possibility of a salon requirement being compliant with all local building, zoning and fire code standards

IV. Action Required

- Mr. Biggins and Mr. Tunncliff will prepare final orders from this meeting for filing with the Agency Clerk's Office
- Mr. Tunncliff will research and report at the next board meeting as to whether or not final orders against a licensee will be included on a credit report
- Ms. Holder will provide Ms. Garofalo with the latest version of the board's 2005 legislative proposal as amended by the unnamed lobbying group and Ms. Garofalo will provide a copy to all board members
- The board will discuss assessing an hour requirement for the initial HIV/AIDS course at the next board meeting
- Ms. Osborne will contact NIC and determine how many examinations can be administered by NIC annually and how many reexaminations can be administered by NIC annually and provide her findings at the next board meeting
- Staff will provide the number of examinations and reexaminations administered annually by the department at the next board meeting
- The board will discuss the possibility of including in salon requirements compliance with all local building, zoning and fire code standards

Julie Malone Garofalo
Executive Director
January 13, 2005