

EXECUTIVE SUMMARY
Board of Cosmetology

I. General Information

Meeting Type: General Business
Meeting Date: Sunday, April 10, 2005
Meeting Location: Marriott Tampa Westshore
1001 North Westshore Boulevard
Tampa, Florida 33607

Attendees:

Mary Blanco, Chair
Joseph Caetano, Vice Chair
Donna Osborne
Laura Brown
Laurel Ritenbaugh
Robyn Barineau, Executive Director, DBPR
Dan Biggins, Assistant Attorney General, Department of Legal Affairs
Drew Winters, Assistant General Counsel, Office of the General Counsel, DBPR
Dana Ewaldt, Government Analyst, DBPR
Pat Gough, Court Reporter
Louise King, Daytona Beach Community College
Rena Wood, Withlacoochee Technical Institute
Myra Jowers, Florida Community College at Jacksonville
Patricia Boone
Mai Phuong Chau

II. Major Issues/Actions

- Chair Mary Blanco noted that Mr. Anthony White's absence from the board meeting was unexcused
- The board considered the following matters:
 - 1 motion for reinstatement
 - 33 disciplinary cases
 - 1 cosmetology endorsement application
 - 5 hair braiding course applications
 - 2 body wrapping course applications
 - 10 continuing education course applications
- Mr. Drew Winters, Assistant General Counsel, reported there are currently 178 cosmetology cases in the legal section
- The agenda action items relating to cases against salons and owners as well as final orders on individual/business credit reports was tabled until the July

board meeting for presentation by Mr. Charles Tunnicliff, Assistant General Counsel

- Chair Blanco reassigned the Chair position of the Continuing Education Committee to Mrs. Laura Brown
- Ms. Donna Osborne reported on the board's 2005 legislative initiative (SB828 and HB789); she added her disappointment that the vocational-technical schools have concerns with the legislation and are not supportive of the proposals in their current version; Ms. Osborne mentioned her feeling that additional educational hours and examinations are necessary for student accountability; she added that the National Coalition of Esthetic & Related Associations is supportive of the board's current legislative initiatives
- Ms. Monica Smith indicated that she was contacted by the National Cosmetology Association (NCA) regarding the board's current legislative proposal; the NCA is opposed to licensure of booth renters and the increase in cosmetology educational hours
- Ms. Myra Jowers, Florida Community College at Jacksonville, informed the board that she supports the increase in esthetic educational hours to 600, but she would be more comfortable knowing how the curriculum will change to incorporate 600 educational hours; Ms. Jowers also supports the examination requirement for nail technicians
- Ms. Rena Wood, Withlacoochee Technical Institute, advised the board that she supports the increase in educational hours but that the Department of Education needs additional time to develop a curriculum to support the educational hours increase
- Ms. Patricia Boone mentioned her opposition to booth rental licensure as she feels this would place more restrictions on salons and individuals
- The board unanimously approved Ms. Robyn Barineau as Executive Director of the Board of Cosmetology and welcomed Ms. Dana Ewaldt as the new Government Analyst
- Ms. Barineau informed the board that as of December 31, 2004, their cash balance was (\$430,939); she added that former Executive Director Julie Malone Garofalo previously informed the board that they might consider increasing revenue by adjusting those fees which are not currently at their statutory cap, and they could consider amending their current rules to allow for biennial salon inspections rather than annual inspections to decrease expenses
- Mrs. Brown reminded the board that they are tasked with ensuring that the board is fiscally sound
- Mr. Dan Biggins, Assistant Attorney General, mentioned the draft disciplinary guidelines, and the board agreed to table this matter for further review until the next board meeting
- The board agreed to amend rule 61G5-18.001(3), Florida Administrative Code, as follows:
 - “All educational courses on HIV and AIDS which are taught to fulfill the requirements for initial licensure or registration, under Chapter 477, F.S., shall

be approved by the Board. To be considered for the Board's approval, courses on HIV and AIDS shall consist of 4 hours combined of:"

- The board agreed to amend rule 61G5-20.002, Florida Administrative Code, by adding section (1)(d) as follows:
-"Submits proof of compliance with all local building and fire codes."
- Ms. Barineau mentioned that the Division of Regulation, Complaints and Investigative Statistics Report included in the agenda was for informational purposes
- Ms. Barineau mentioned that the following information was included in the agenda for informational purposes: National Interstate Council of State Boards of Cosmetology (NIC) Recommendations for Proposed Bylaw Amendments, NIC Annual Conference Tentative Agenda, National Commission of Cosmetology Arts & Sciences, Inc. (NACCAS) Newsletter – Volume I - No. 3, National Coalition of Esthetic & Related Associations (NCEA) Newsletter – Volume II - Number 6 2004, and NIC Newsletter – Volume 61 -No. 1
- Chair Blanco, Ms. Osborne, Ms. Laurel Ritenbaugh, and Mrs. Brown mentioned the former presentation by NIC regarding their national testing program and their desire to utilize a national examination; the board asked Ms. Barineau to research utilizing a national testing vendor for the cosmetology examination and report her findings at the next board meeting
- Ms. Osborne expressed her interest in administering practical examinations again for licensure
- Per the board's request, Ms. Barineau mentioned the pass/fail rates for cosmetology examination applicants; the board stressed their concern with the low examination passage rate; Ms. Osborne added that the low pass rate may be caused from students with non-documented special needs not faring well on the exam, a language barrier, or educational issues
- The board agreed to conduct its next meeting on Sunday, July 24, 2005, at 9 a.m. in Orlando, Florida

III. Legislation/Rule Promulgation

- Mr. Biggins will proceed with the amendments to rules 61G5-18.0011 and 61G5-20.002, Florida Administrative Code, as approved by the board

IV. Action Required

- Mr. Biggins and Mr. Winters 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, and he will report on cases against salons and owners

- The board will discuss the draft disciplinary guidelines at the next board meeting
- Ms. Barineau will research utilizing a national vendor to administer the cosmetology examination

Robyn Barineau
Executive Director
April 14, 2005