

EXECUTIVE SUMMARY
Board of Cosmetology

I. General Information

Meeting Type: General Business
Meeting Date: Sunday, April 13, 2008
Meeting Location: Florida Hotel and Conference Center
1500 Sand Lake Road
Orlando, Florida 32809

Attendees:

Myra Jowers, Chair
Donna Osborne, Vice Chair
Ginny Fincel
Candido Llano
Monica Smith
Interim Secretary Chuck Drago, Department of Business and Professional Regulation
April Dawn Skilling, Deputy General Counsel, Department of Business and Professional Regulation
Robyn Barineau, Executive Director, Department of Business and Professional Regulation
Bill Oglo, Assistant Attorney General, Department of Legal Affairs
Charles Tunnicliff, Chief Attorney, Office of the General Counsel, Department of Business and Professional Regulation
Elizabeth Duffy, Assistant General Counsel, Office of the General Counsel Department of Business and Professional Regulation
Dana Ewaldt, Government Analyst, Department of Business and Professional Regulation
Sam Farkas, Deputy Press Secretary, Office of Legislative Affairs, Department of Business and Professional Regulation
Rick Wallace, Florida Association of Beauty Professionals
Diana Garcia, Court Reporter
Jerry Gardner, Elite
Laurel Ritenbaugh, Plant City High School
Evelyn Lockett, Sheridan Technical School
Christine Sipelli, Sheridan Technical School
Joseph Caetano, Bostonian Hair Studio
John Conley, The Hairwraps Company
Maya Thomas, Maya's School of Beaute
Sahande Sy, Ebraiding.net
Carol Smith, Ebraiding.net
Carrie Crawford, Ebraiding.net
Mathias Kouadio, Ebraiding.net

Aminata Diba
M. Diba
Hassan Diop
Khandy Ndiaye
Aminata Kaba
Amy Diaw
Mariama Ndiaye
Ernisa Barnwell
Frank Osei-Awrol
Diana Osei
Janet McCormick
Barbara Sposato
Heather Prah
Nicky Tran
Mark Thomas
Amy Green
Yaqueline Merino

II. Major Issues/Actions

- Ms. Robyn Barineau, Executive Director, introduced Interim Secretary Chuck Drago to the board. Secretary Drago thanked the board for the opportunity to join them for their meeting and extended his thanks to the membership for their service on the board. Secretary Drago echoed former Secretary Benson's comments to streamline the department processes to make the Department of Business and Professional Regulation an easier place to do business. He mentioned that the hold times for callers into the Department's Customer Contact Center have decreased from 30 minutes approximately 1.5 years ago to 2 minutes currently. He added that email responses from the Customer Contact Center took approximately four weeks to generate and now take approximately 48 hours. Secretary Drago mentioned the department's OnBase scanning initiative which will reduce departmental paperwork, and he thanked the Legislature for their continued support of this important initiative. Secretary Drago showed the board an unlicensed activity poster which will be displayed in major Florida malls. The poster highlights unlicensed activity in the cosmetology profession. The board thanked Secretary Drago for attending the meeting.
- Ms. Barineau introduced Deputy General Counsel April Dawn Skilling, Chief Attorney Charles Tunnick, and Deputy Press Secretary Sam Farkas.
- Vice Chair Myra Jowers excused Ms. Rosabel Ramos from the board meeting.
- After presenting 22 disciplinary cases for the board's consideration, Ms. Elizabeth Duffy, Assistant General Counsel, provided her Prosecuting Attorney's Report and reported that as of March 13, 2008, there were 206 cosmetology cases in the legal section.

- The board approved one hair braiding course application, denied one hair braiding course application, approved one hair wrapping course application, approved five continuing education course applications, and denied two continuing education course applications.
- Ms. Carol Smith, Mr. Sahande Sy, Mr. Mathias Kouadio, and Ms. Carrie Crawford from Ebraiding.net introduced themselves and gave a brief overview of their company. Mr. Sy added that Ebraiding.net is attempting to reach an amicable solution for its Florida members who are not able to add hair extensions and wefts as a part of their practice. Mr. William Oglo, Assistant Attorney General, informed Mr. Sy that the current law does not allow hair braiders to add extensions and wefts. He added that a statutory change would be necessary to allow extensions and wefts to be added by hair braiders. Ms. Maya Thomas added that she worked with the original sponsor of Florida's hair braiding license law, former Representative Willie Dennis, and the original proposal required hair braiders to complete 300 hours of education before they would be issued a registration. She added that they were surprised when the number of hours for a hair braiding course was reduced to 16 and that hair braiders could not add extensions or wefts. Chair Myra Jowers added that in her experience when extensions are removed, hair must be cut. Ms. Ginny Fincel stated that her school teaches hair extensions and they sew in or glue the artificial hair. Ms. Khady Ndiaye added that hair braiding is a part of her culture and that many cosmetology programs do not teach students how to braid hair. She indicated that cutting or styling hair is not necessary to braid hair but adding extensions is a necessary part of hair braiding. Mr. Crawford suggested a reasonable alternative would be to reclassify hair braiders as specialists. Mr. Rick Wallace, Florida Association of Beauty Professionals (FAB), informed the attendees that in order to change the law, they should contact a legislator for assistance. He added that he could put them in touch with Representative Jennifer Carroll for assistance. Mr. Oglo also suggested they contact a legislator for assistance with amending the statute, or they could work with FAB or the department to amend the statute. Mr. Hassan Diop indicated that he understands that changing the statute will take some time to complete, and he cannot do his job without adding extensions. He will be forced to close his braiding shop. Chair Jowers suggested the group conduct a summit to discuss this issue, contact legislators for assistance, and provide any proposed legislation to the department and the board for comment. Mr. Wallace offered FAB's assistance with formulating a summit. Ms. Ernisa Barnwell indicated that adding extensions are one of the core attributes for hair braiders.
- At the last meeting, the board agreed to further research Brazilian Keratin Treatments. Ms. Barineau provided the board with material she found on the Internet regarding Brazilian Keratin Treatments. She also contacted the Cosmetic Ingredient Review (CIR) for their position on Brazilian Keratin Treatments as these treatments are known to have some formaldehyde in the substance applied to hair for straightening purposes. The board agreed that they could suggest that .2 percent or less formaldehyde be used in the

treatments as suggested by the CIR but that their laws and rules do not specifically speak to Brazilian Keratin Treatments. The board will continue to monitor this issue.

- Ms. Barineau informed the board that as of December 31, 2007, the balances in their Operating and Unlicensed Activity Accounts were \$1,464,191 and \$870,491, respectively.
- Ms. Barineau asked all members to submit their travel reimbursement vouchers to the board office as soon as possible as the fiscal year ends June 30, 2008.
- Ms. Barineau informed the board that the Division of Regulation's Inspectors are distributing the Consumer Protection Flyer to salons during inspections, the notice will be posted on the board's website, and it will be distributed at the upcoming hair show to ensure that all salons are in compliance with the posting requirements.
- Ms. Barineau informed the board of the following meeting dates and locations:
 - Monday, July 28, 2008 – Orlando
 - Monday, October 13, 2008 – Ocala
- The board discussed the letter from Ms. Keri Graham regarding offering princess birthday parties for little girls which will include pinning up hair, painting fingernails, and applying makeup. The board agreed that licenses are necessary to offer this service. Mr. Oglo will respond to Ms. Graham.
- The board discussed the proposed amendments suggested by the Division of Regulation to the citation rules. They agreed to the following changes:
 - Three violations of the safety, sanitation, or other salon requirements specified in Rule 61G5-20.002, F.A.C. - **\$200**
 - Four violations of the safety, sanitation, or other salon requirements specified in Rule 61G5-20.002, F.A.C. - **\$250**
 - Five violations of the safety, sanitation, or other salon requirements specified in Rule 61G5-20.002, F.A.C. - **\$500**If there are more than five violations, a case should be opened. Ms. Barineau will discuss these proposals with the Division of Regulation and the Office of the General Counsel and provide their comments at the next board meeting.
- The board discussed the email from Ms. Deborah Groves regarding hot stone therapy, and they decided that facial specialists, full specialists and cosmetologists can perform hot stone facials.

III. Legislation/Rule Promulgation

- There were no additional issues regarding legislation or rule promulgation.

IV. Action Required

- Mr. Bill Oglo, Assistant Attorney General, and Ms. Duffy will prepare final orders from this meeting for filing with the Agency Clerk's Office.

- Ms. Barineau will respond on behalf of the board that it agrees that .2 percent or less formaldehyde be used by cosmetologists for Brazilian Keratin Treatments as suggested by the CIR but that the cosmetology laws and rules do not specifically speak address these types of treatments. She will also inform the requestors that the board will continue to monitor this issue.
- Mr. Oglo will respond to Ms. Graham's letter regarding princess parties and inform her that individual licenses are necessary and the service must be offered in a licensed salon.
- Ms. Barineau will discuss the board's proposals regarding safety, sanitation, or other salon requirements violations with the Division of Regulation and the Office of the General Counsel and provide their comments at the next board meeting.
- Ms. Barineau will correspond with Ms. Groves and let her know that facial specialists, full specialists and cosmetologists can perform hot stone facials.
- The board will conduct its next meeting in Orlando, on Monday, July 28, 2008.

Robyn Barineau
Executive Director