

EXECUTIVE SUMMARY

Board of Cosmetology

I. General Information

Meeting Type: General Business
Meeting Date: Wednesday, September 7, 2005
Meeting Location: Telephone Conference Call

Attendees:

Mary Blanco, Chair
Joseph Caetano, Vice Chair
Donna Osborne
Laurel Ritenbaugh
Monica Smith
Anthony White
Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Dan Biggins, Assistant Attorney General, Department of Legal Affairs
Charles Tunnicliff, Assistant General Counsel, Office of the General Counsel, DBPR
Dana Ewaldt, Government Analyst, DBPR
Valerie Lyons, Court Reporter
Susan Lehr, Florida Community College at Jacksonville (FCCJ)
Myra Jowers, FCCJ
Christine Sepielli, Sheridan Technical Institute (STI)
Ruth Sarrubbo, STI
Patti Galdamez, Bradenton Beauty and Barber (BBB)
Sally Crosby, BBB
Dan Washburn, Great Clips
Mary Crew, Department of Education
Nancy Bradley, Commission for Independent Education (CIE)
Kasongo Butler Nelson, CIE
John Conley, The Hairwraps Company
Patricia Boone
Kim Matthews, North Florida Cosmetology Institute (NFCI)
Anita Coppedge, NFCI
Jacqueline Oliphant
Mez Varol

II. Major Issues/Actions

- The board approved the Recommended Order as written by Administrative Law Judge Michael M. Parrish in the case against Mark Slayden; the Recommended Order suggested assessing a fine of \$1,000
- The board approved the draft legislative language as provided in the agenda with the following changes:
 - Section 477.013(3)(b)5.: Add the following language at the end of the line: “with products specifically manufactured for eyelashes or eyebrows.”
 - Section 477.013(3)(c)2.: Add the following language at the end of the line: “including submersing of the hands and feet in a bath of clay, oils, lotions or other fluids.”

- Section 477.013(6): Change “washing” to “cleansing”
- Section 477.0131: No changes
- Section 477.0132(4): Add the following language after the word “course”: “and text”
- Section 477.0135(2): Add this stricken exemption back in the draft, thus, leaving the language as is currently written in the law
- Section 477.014: No changes
- Section 477.019(4): The practice exemption should now read: “After submitting a complete application to take the first available examination for licensure as a cosmetologist, hair technician, esthetician, or nail technician, a graduate of a licensed cosmetology school or a program within the public school system, which school or program is certified by the Department of Education, is eligible to practice in the graduate’s respective area for a maximum period of 60 days, provided such graduate practices under the supervision of a licensed professional in a licensed salon. A graduate who fails to pass the first exam may continue to practice under the supervision of a licensed professional in a licensed salon for an additional 60-day period, provided the graduate applies for the next available examination. A graduate may not continue to practice under this supervision if the graduate fails the examination twice.”
- Section 477.019(6)(b): Add this stricken language back in the draft, thus leaving the language as is currently written in the law, but strike the words: “or body wrapping”
- Section 477.019(6)(c): Leave this language as is currently written in the law but strike the last sentence: “The number of hours for the refresher course may not exceed 48 hours.”
- Section 477.0201: No changes
- Section 477.0212(1): Strike “cosmetologist’s” and the following words after the word “license”: “issued pursuant to this chapter”
- Section 477.023: No changes
- Section 477.026(1)(e): Change the fee cap to \$40 from the proposed \$50 fee cap
- Section 477.0263(4): Strike “or school” at the end of the last sentence
- Section 477.0265: No changes
- Section 477.028: No changes
- Section 477.029: No changes
- Ms. Robyn Barineau, Executive Director, informed the board that the National Interstate Council (NIC) Memorandum, Comments from Susan Lehr, and Email from Dyan Sax-Braff were included in the agenda for informational purposes
- Chair Mary Blanco polled the board to see if other members are receiving calls from individuals displaced by Hurricane Katrina who are attempting to become licensed in Florida; Ms. Donna Osborne indicated that she, too, is receiving similar inquiries; the board agreed that Florida needs to find a way to accommodate these impacted individuals and Ms. Barineau informed the board that the department is making every effort within the law to assist these individuals with licensure as expeditiously as possible; Vice Chair Joseph Caetano suggested the Governor consider an Executive Order to assist these individuals much like the former Executive Order allowing unlicensed roofers to work in Florida; the board asked Ms. Barineau to relay their concerns to the department
- Ms. Mary Crew, Department of Education, distributed the following telephone numbers to assist individuals impacted by Hurricane Katrina who are attempting to enroll in Florida public schools: 1.877.352.2731 or contact Kathy Torian at 850.245.9968
- Ms. Barineau reminded the board of the October 2 board meeting in Tampa

III. Legislation/Rule Promulgation

- Mr. Dan Biggins, Assistant Attorney General, will update the board's legislative draft and provide copies to Ms. Barineau and Ms. Susan Lehr

IV. Action Required

- Ms. Barineau will provide all board members with a copy of the finalized version of the 2006 legislative draft upon receipt from Mr. Biggins
- Ms. Barineau will relay the board's desire to assist displaced individuals impacted by Hurricane Katrina who are attempting to become licensed in Florida

Robyn Barineau
Executive Director
September 7, 2005