

EXECUTIVE SUMMARY

Board of Cosmetology

I. General Information

Meeting Type:	General Business Meeting
Meeting Date:	Monday, July 20, 2009
Meeting Location:	Homewood Suites 8745 International Drive Orlando, Florida 32819

Attendees:

Myra Jowers, Chair
Ginny Fincel, Vice Chair
Donna Osborne
Laurel Ritenbaugh
Monica Smith
Charles W. Drago, Secretary, Department of Business and Professional Regulation (DBPR)
Robyn Barineau, Executive Director, DBPR
Lisa Comingore, Assistant Attorney General, Office of the Attorney General
LeChea Parson, Assistant General Counsel, Office of the General Counsel, DBPR
Dana Ewaldt, Government Analyst, DBPR
Bonnie Poole, Florida Cosmetology Association (FCA)
Chuck Chapman, FCA
Kirby Morris, Marketing Director, National Interstate Council of State Boards of Cosmetology (NIC)
John Conley, The Hairwraps Company
David Beaudrie
Other Interested Parties

II. Major Issues/Actions

- Chair Myra Jowers welcomed Secretary Charles W. Drago to the meeting. 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 reiterated his goal 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 has been reduced to under two minutes, the time for a Tier N response to emailers has been reduced to a day or two, and the time to process an application by the department's Central Intake Unit has been reduced to approximately five days. Secretary Drago mentioned the EZApply initiative and solicited the board members' suggestions for any improvements. He also described the Quality on the Line initiative. Secretary Drago added that the 2009 legislative session was very successful for the department, and he asked the board to provide the department with any legislative suggestions that would Accelerate Florida. Secretary Drago also mentioned the department's concern with unlicensed activity. The board thanked Secretary Drago for attending the meeting.

- Chair Jowers excused Ms. Rosabel Ramos' absence from the meeting.
- The board welcomed Ms. Lisa Comingore, its new Assistant Attorney General, and Ms. LeChea Parson, its new Assistant General Counsel.
- The board considered 111 disciplinary cases.
- Ms. Parson provided the board with the Prosecuting Attorney's Report and reported that as of July 14, 2009, there were 364 cosmetology cases in the legal section. The board agreed to allow Ms. Parson to continue processing the 114 year-old cases.
- The board denied nine licensure applications and approved 18 licensure applications.
- The board approved five hair braiding course applications, denied one hair braiding course application, approved two hair wrapping applications, approved five body wrapping course applications, denied one body wrapping course application, approved two initial HIV/AIDS course applications, approved three continuing education provider applications, denied one continuing education provider application, approved 12 continuing education course applications, and denied seven continuing education course applications.
- The board discussed the letter submitted by Glow Skin Care, Inc., regarding fish pedicure operation sterilization, sanitation and maintenance procedures. They again agreed that this practice should not be allowed in salons as there is no allowance for animals in a salon nor are the fish kept in a closed aquarium, and there does not appear to be any way to properly sanitize or disinfect the unit holding the fish or the fish in between patrons. The board asked Ms. Robyn Barineau, Executive Director, and Ms. Comingore to send a response.
- The board discussed Rule 61G5-32.001, Florida Administrative Code – Continuing Education, and agreed that publication dates for reference materials should be included in the rule. The board asked Ms. Comingore to move forward with development of this rule and asked that she bring back a rule draft to the next meeting for review and discussion.
- The board agreed to move forward with removal of all mailing addresses on personal licenses.
- Ms. Barineau mentioned the letter from Secretary Drago mailed to Chair Jowers regarding 2010 Accelerate Florida legislative initiatives. She asked the board for their input by August 1.
- The board approved a list of criminal offenses which can be approved by the department and do not require review by the board.
- The board agreed that the following change is necessary to Rule 61G5-18.0055, Florida Administrative Code – Supervised Cosmetology Practice Exception, and asked Ms. Comingore to move forward with development:

“Following the completion of the **first** licensing examination by a graduate of a licensed cosmetology school or cosmetology program offered in a public school system, which school or program is certified by the Department of Education, an applicant for licensure as a cosmetologist by examination is eligible to practice temporarily in a current, actively licensed cosmetology salon under the following conditions:

 - (1) In the event an applicant obtains passing scores on ~~the first attempt of~~ both the written and clinical examinations, the applicant shall be eligible, prior to having their application acted on by the Board, to practice cosmetology in a licensed salon, provided that they post their examination results for both examinations at their work station with a recent photograph affixed thereto.
 - (2) An applicant who fails any part of the examination may not practice as a cosmetologist and may immediately apply for reexamination.”

- The board agreed to move forward with defining “manufactured materials” not to include synthetic hair in the practice of hair wrapping. Ms. Comingore will move forward with development of a rule definition.
- Chair Jowers mentioned that the board will be submitting a bid to host the 2011 National Interstate Council of State Boards of Cosmetology (NIC) conference in Florida.
- Ms. Barineau informed the board of the following meeting dates and locations:
 - Monday, October 12, 2009 – Tampa
 - Monday, January 25, 2010 – Orlando
 - Monday, April 26, 2010 – St. Augustine

III. Legislation/Rule Promulgation

- Ms. Comingore will notice Rule 61G5-32.001, Florida Administrative Code – Continuing Education, for development. She will also prepare draft language for discussion at the October meeting.
- Ms. Comingore will move forward with development of Rule 61G5-18.0055, Florida Administrative Code – Supervised Cosmetology Practice Exception.
- Ms. Comingore will move forward with development of a rule to define “manufactured materials” in the practice of hair wrapping.

IV. Action Required

- Ms. Comingore will prepare final orders from this meeting for filing with the Agency Clerk’s Office.
- Ms. Barineau and Ms. Comingore will prepare a response to the letter from Glow Skin Care, Inc.
- Ms. Barineau will work with the department to have mailing addresses removed from all personal licenses.
- Ms. Barineau will provide, to the Central Intake Unit, a list of a list of criminal offenses which do not need review by the board.

Robyn Barineau
 Executive Director
 July 22, 2009