



CALIFORNIA STATE BOARD OF BARBERING AND COSMETOLOGY

ENFORCEMENT COMMITTEE MEETING MINUTES OF OCTOBER 19, 2015

Department of Consumer Affairs
1747 North Market Blvd.
HQ2 Hearing Room 186, 1st Floor
Sacramento, CA 95834

COMMITTEE MEMBERS PRESENT

Dr. Kari Williams, President
Richard Hedges, Vice President
Polly Codorniz
Andrew Drabkin
Joseph Federico

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Tami Guess, Board Policy Analyst
Rebecca Bon, Legal Counsel

1. Agenda Item #1, ESTABLISHMENT OF A QUORUM; WELCOME AND INTRODUCTIONS

Richard Hedges, the Board Vice President, called the meeting to order at 9:30 a.m.

2. Agenda Item #2, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

There were no questions or comments from members of the public.

3. Agenda Item #3, APPROVAL OF ENFORCEMENT COMMITTEE MEETING MINUTES

MOTION: Mr. Drabkin made a motion, seconded by Mr. Federico, that the Enforcement Committee approves the April 20, 2015, Meeting Minutes as presented. Motion carried by a 5-0 vote.

4. Agenda Item #4, UPDATE ON THE MEDICAL SERVICES TASK FORCE

Mr. Hedges stated the Medical Services Task Force met twice since the last Committee meeting. There was a short report in the July meeting on what occurred since May. He gave a brief background of the Task Force composition. The Task Force discussed items that the industry faces today regarding the line between skin care and medical services. The Task Force developed a bulletin and posted it on the website. The Task Force also discussed how to enforce illegal advertising. There will be discussion and approval later in the agenda of the Task Force's recommended regulatory language regarding false/misleading advertising.

Kristy Underwood, the Executive Officer, stated the proposed regulatory language to amend Sections 973(d), 973.4, and 973.5 of the California Code of Regulations is specific to advertisement. This language would strengthen the advertisement regulations on how people in the industry might be misleading consumers.

Mr. Hedges stated this is long overdue. He shared stories of going on ride-alongs and finding needles, numbing drugs, and other violations.

Public Comment

Patrick Romani, Face Reality, asked where the terms are on the website. A staff member directed his attention to the language.

MOTION: Mr. Federico made a motion, seconded by Dr. Williams, to approve the proposed regulatory language to amend Sections 973(d), 973.4, and 973.5 of the California Code of Regulations. Motion carried by a 5-0 vote.

5. Agenda Item #5, DISCUSSION AND RECOMMENDATIONS OF REMEDIAL TRAINING FOR IMMEDIATE SUSPENSIONS

Ms. Underwood stated individuals are required to complete eight hours of remedial training within a year of suspension but there are currently no approved providers. The regulations do not specify that the training must be completed in an approved school. She suggested changing the regulations to specify that either the Board or an approved school can provide the training course.

Ms. Underwood suggested that staff develop an online remedial training course with the assistance of this Committee and the Department of Consumer Affairs. The cost would be minimal and it would ensure that the individuals under probation receive the required training for public safety.

Joseph Federico, an Enforcement Committee Member and a Member of the Board, stated there is not enough demand for schools to offer one eight-hour class.

Public Comment

Fred Jones, Professional Beauty Federation of California (PBFC), agreed that the market for one eight-hour class is not economical but cautioned against setting the precedent that the Board is the only outlet for remediation. An opportunity should be provided for schools to offer remedial courses as approved by the Board.

Mr. Hedges stated the concern that, if all remedial training is done online, there will be no practical training on how to clean. He suggested that the Board charge for the online class, because the Board and staff will need to put a course together, keep it updated, verify that the course has been completed, and provide certification of completion.

Ms. Underwood stated the Board may need statutory authority to charge for the course.

Mr. Drabkin, an Enforcement Committee Member and a Member of the Board, suggested offering the course to approved schools to use. He agreed that there should

be a charge for the online Board course so it will not deter individuals from taking the course at approved schools.

Mr. Hedges asked Rebecca Bon, Legal Counsel, to review the Board's statutory ability to charge fees to see if it might also include coursework.

Polly Codorniz, an Enforcement Committee Member and a Member of the Board, asked if the fee for remediation could be included in the fine for the infraction.

Ms. Underwood agreed it may be more easily appropriated that way or by including the fee for remediation in the charge for re-inspection. The legislation mandated a charge for re-inspection of \$40 for each foot spa tub.

Mr. Hedges raised the issue of individuals who opt to take the course at a school potentially being charged twice for the remediation course.

6. Agenda Item #6, AGENDA ITEMS FOR NEXT COMMITTEE MEETING

Ms. Underwood suggested discussing the continued practice of establishments of licenses changing hands when they are fined as a way to escape fines.

7. Agenda Item #7, PUBLIC COMMENT

There were no questions or comments from members of the public.

8. ADJOURNMENT

With no further business, the meeting was adjourned.