

**CALIFORNIA STATE BOARD
OF
BARBERING AND COSMETOLOGY**

HEALTH AND SAFETY ADVISORY COMMITTEE MEETING

MINUTES OF APRIL 19, 2021

BOARD MEMBERS PRESENT

Jacquie Crabtree
Andrew Drabkin

COMMITTEE MEMBERS PRESENT

Paul Bryson, Ph.D.
Larry Cromwell
Jennifer Cruz-Jimenez
Joanie Gonella
Brandon Hart
Paula Johnson
Fred Jones
Leslie Roste
Jaime Schrabeck, Ph.D.
Kellie Swallow

COMMITTEE MEMBERS ABSENT

Judith Balmin

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Sabina Knight, Board Legal Representative
Marcene Melliza, Board Analyst
Allison Lee, Board Project Manager

1. Agenda Item #1, CALL TO ORDER / ROLL CALL

Kristy Underwood, Executive Officer, called the teleconference meeting of the California State Board of Barbering and Cosmetology (Board) Health and Safety Advisory Committee to order at approximately 9:00 a.m., welcomed everyone, and confirmed the presence of a quorum.

2. Agenda Item #2, EXECUTIVE OFFICER'S OPENING REMARKS

Ms. Underwood provided a brief summary of staff activities since the last Committee meeting. She thanked Committee Members Jones, Roste, and Shrabeck for their assistance in this work and Wendy Cochran, Founder, California Aesthetic Alliance, for their public input.

3. Agenda Item #3, REVIEW AND POSSIBLE APPROVAL OF DECEMBER 18, 2020, COMMITTEE MEETING MINUTES

MOTION: Mr. Jones made a motion, seconded by Ms. Crabtree, that the Board approves the December 18, 2020, Meeting Minutes as presented. Motion carried 10 yes, 0 no, 1 abstain per roll call vote as follows:

The following Committee Members voted “Yes”: Bryson, Crabtree, Cromwell, Cruz-Jimenez, Drabkin, Gonella, Johnson, Roste, Schragebeck, and Swallow.

The following Committee Member abstained: Hart.

4. Agenda Item #4, DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATIONS ON AMENDING HEALTH AND SAFETY REGULATIONS:

a. Title 16, Article 12, California Code of Regulations sections 977-995

Ms. Underwood presented the proposed changes to the Health and Safety Regulations, which were included in the meeting packet. The suggested changes will be made and brought back to this Committee for further discussion and public comment prior to going to the Board for approval.

Committee Members provided the following feedback:

Discussion on Section 977, Health and Safety Definitions

- Under Single-Use Items, concern about consistency with Title 8 Regulation terminology about worker protection. Cal OSHA uses the term “hand protection” while these regulations use the phrase “disposable items including ... gloves”
- Under Single-Use Items, add “protective equipment includes gloves, finger guards, and arm coverings.”

Discussion on Section 978, Minimum Equipment and Supplies

- Under 978(b)(1), strike the second and third sentences as they go beyond Cal OSHA’s requirements so it would read “all containers shall be distinctly labeled to disclose their contents.”
- Include in the curriculum that Cal OSHA requires that secondary containers be labeled and a binder for Safety Data Sheets (SDS) for all hazardous chemicals must be available at the location.

Discussion on Section 979, Disinfecting and Storing Non-Electrical Tools

No Committee Member comments were offered.

Discussion on Section 980, Disinfecting Electrical Tools

No Committee Member comments were offered.

Discussion on Section 980.1, Procedures for Cleaning and Disinfecting Foot Basins

No Committee Member comments were offered.

Discussion on Section 981, Disposing Single-Use Tools and Supplies

- Under 981(b), add “pursuant to local ordinances” to the end of the last sentence so it will read “... and disposed of as biohazardous waste pursuant to local ordinances.”

Public Comment

Wendy Cochran agreed with adding a phrase about local ordinances to the end of the sentence in Section 981. The speaker suggested adding dermaplane blades to the list of items to dispose of in a sharps container.

Discussion on Section 982, Sterilizing Tools

No Committee Member comments were offered.

Discussion on Section 983, Hand Hygiene

No Committee Member comments were offered.

Discussion on Section 984, Communicable Illness

- Under 984(d), change the language to “services should not be performed on broken or inflamed skin and scalp areas. Single-use gloves must be worn when an eruption or a cut is present or becomes present during a service. An example, but not limited to, during or after client extractions or a cut on service provider’s hands.”
- Cal OSHA has a blood-borne pathogen standard, which requires employees to wear gloves whenever they may have reasonably anticipated contact with blood, other potentially infectious materials (OPIM), mucus membranes, and non-intact skin.
- Include language about wearing gloves in anticipation of contact with blood and other fluids but also include the need to continue to wear gloves for the remainder of the service.
- The second portion where the licensee is meant to wear gloves should be moved to Section 983, Hand Hygiene.
- Staff to work on Section 984(d) separately.

Public Comment

Wendy Cochran agreed that language about wearing gloves in Section 984(d) should be part of Section 983. The speaker encouraged the protection of acne specialists when rewording 984(d). Also, work in the Brazilian area needs to be considered when rewording 984(d).

Discussion on Section 985 (removed)

No Committee Member comments were offered.

Discussion on Section 986, Brushes

- Under 986(a)(2), add clarifying language about the types of brushes to clean in the ways listed, specifically about what can be cleaned with monomer. Include a

cross-reference to Section 988(c)(1) to indicate that there may be certain re-dipping situations that are bacteriologically safe.

- Dr. Bryson will send recommendations for language changes to staff.

Discussion on Section 987, Linens

- Under 987(a), include examples of “closed vented containers made of non-porous materials” that are not to be “used again until properly laundered.” It is difficult to locate acceptable containers online.
- Also, clarify the amount of venting that is required to prevent the growth of bacteria.
- Allow open containers but add to curriculum that linen must be contained within the receptacle and not hanging over the sides – perhaps only allowing the receptacle to be three-quarters filled.
- Experience dictates that open containers will be overfilled. A closed container flags when the laundry needs to be moved.

Discussion on Section 988, Multi-Use Containers

- Strike 988(b) based on the previous regulation, Section 978(b)(1).

Public Comment

Wendy Cochran referred to 986(a)(2) and suggested clarifying the word “alcohol” such as adding the word “isopropyl” so it will read “liquid spray cleaner or isopropyl alcohol.”

Wendy Cochran referred to 987(a) and suggested adding “or perforated” so it will read “in a closed vented or perforated container ...” Drilling holes into existing containers would be acceptable.

Wendy Cochran referred to 988(b) and stated they hear questions about labeling Kleenex or glove boxes. This needs to be clarified.

Discussion on Section 989, Prohibited Substances, Equipment, Tools, and Supplies

- Under 989(b)(2), it is helpful to educate licensees on the reasons certain services are not safe.
- Under 989(b)(6), many manufacturers use the word “detoxification” for the benefit of their product.

Discussion on Section 990, Shampoo Bowls and Trays, and Treatment Tables

- Under 990(c), consider adding wax table pads, if they are properly disinfectable.
- Kellie Swallow will send a link to staff from major wax table pad distributors.

Discussion on Section 991, Invasive Procedures

- Under 991(a) and (b)(1), clarify when lancets are allowed as per 981(b) and if “penetration of the skin by metal needles or filaments” means all metal tools and implements.

- Staff is to work on this language separately.

Discussion on Section 992, Skin Exfoliation (removed)

No Committee Member comments were offered.

Discussion on Section 993 (removed)

No Committee Member comments were offered.

Discussion on Section 994 Cleanliness and Repair

- Under 994(b), strike the word “refuse.”

Discussion on Section 995, Building Standards

No Committee Member comments were offered.

Public Comment

Wendy Cochran referred to Section 989(b)(6) and stated they agreed with the proposed language. Intimate bleaching is lacking in this section.

Wendy Cochran referred to Section 990 and stated wax table pads are marine vinyl. These types of pads began to be customized during the COVID-19 pandemic so they are not only provided by major distributors but are part of a cottage industry.

Wendy Cochran referred to Section 991(b)(1) and stated changing the language to lance or spade is acceptable.

Wendy Cochran suggested adding tooth gem and tooth whitening.

5. Agenda Item #5, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No members of the public addressed the Committee.

6. Agenda Item #6, SUGGESTIONS FOR FUTURE AGENDA ITEMS

Ms. Swallow suggested a discussion on changing the legislative process on brow henna, lash tinting, and brow tinting. Clients are asking that professional tinting be brought back. Untrained individuals are offering these services to the public and also homemade substances are being used. She asked staff to gather data on consumer risk/harm from states where these services have been permitted to continue.

Ms. Swallow also suggested a discussion on dermaplaning and asked staff to gather data on consumer risk/harm from states where these services are permitted.

7. Agenda Item #7, ADJOURNMENT

Ms. Underwood thanked everyone for their input. There being no further business, the meeting was adjourned.