

**CALIFORNIA STATE BOARD
OF
BARBERING AND COSMETOLOGY**

BOARD TELECONFERENCE MEETING

MINUTES OF OCTOBER 25, 2021

BOARD MEMBERS PRESENT

Steve Weeks, President
Calimay Pham, Vice President
Jacquelyn Crabtree
Megan Ellis
Tonya Fairley
Reese Isbell
Derick Matos

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Carrie Harris, Deputy Executive Officer
Sabina Knight, Board Legal Representative
Allison Lee, Board Project Manager

BOARD MEMBERS ABSENT

Christie Tran

1. Agenda Item #1, CALL TO ORDER/ ROLL CALL/ ESTABLISHMENT OF QUORUM

Steve Weeks, Board President, called the meeting to order at approximately 9:00 a.m. and confirmed the presence of a quorum. Mr. Weeks explained that the meeting will begin with an open session, followed by two reinstatement hearings.

2. Agenda Item #2, PETITION FOR REINSTATEMENT HEARINGS

- Linda Lowery
- Joanna Velador

CLOSED SESSION

- a. Pursuant to Government Code Section 11126(c)(3), the Board will meet in Closed Session to Deliberate on Disciplinary Matters.**

The Board met in closed session as permitted by law to deliberate on disciplinary matters.

- b. Adjourn Closed Session and Reconvene Open Session**

Mr. Weeks reconvened the meeting. He welcomed the board members back and confirmed the presence of a quorum.

3. Agenda Item #3, BOARD PRESIDENT’S OPENING REMARKS

Mr. Weeks welcomed the newest member of the board, Reese Isbell. He gave the members information on his background and how he feels Mr. Isbell will be a real asset with his experience in nonprofit projects and his public service background. Mr. Weeks reiterated that he knows there are many questions about senate bill 803, but this is a scheduled board meeting and that all questions should be e-mailed to the Board.

4. Agenda Item #4, BOARD MEMBER REMARKS – INFORMATIONAL ONLY

No board member remarks were made.

5. Agenda Item #5, DISCUSSION AND POSSIBLE APPROVAL OF THE JULY 26, 2021 BOARD MEETING MINUTES

MOTION: Ms. Pham moved to approve the minutes. Ms. Fairley seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members votes “Yes”: Steve Weeks, Calimay Pham, Jacquelyn Crabtree, Megan Ellis, Tonya Fairley, Reese Isbell, Derick Matos.

6. Agenda Item #6, DEPARTMENT OF CONSUMER AFFAIRS (DCA) UPDATE, WHICH MAY INCLUDE UPDATES ON DCA’S ADMINISTRATIVE SERVICES, HUMAN RESOURCES, ENFORCEMENT, INFORMATION TECHNOLOGIES, COMMUNICATION AND OUTREACH, AND LEGISLATIVE, REGULATORY, OR POLICY MATTERS

Carrie Holmes, Deputy Director of Board and Bureau Relations, provided a DCA update. She welcomed and congratulated Reese Isbell and Megan Ellis on becoming board members. She explained that DCA is implementing new safety measures. Employees must show proof of vaccinations or be subject to weekly testing. Remote meetings will be allowed until January 30th, 2022. The Board currently has one vacancy for one public member, but there will be four vacancies in January. Licensees interested in being appointed as board members may visit the board member resources on DCA’s webpage or the Governor’s homepage to apply.

7. Agenda Item #7, EXECUTIVE OFFICER’S REPORT- By Kristy Underwood

- **Licensing Statistics**
- **Examination Statistics**
- **Disciplinary Review Committee Statistics**
- **Enforcement Statistics**
- **Budget Updates**
- **Outreach Updates**
- **Practice Status Survey Results**
- **Update of Board’s 2018-2022 Strategic Plan**
- **SB 803 (Roth) Implementation Plan**

Kristy Underwood reviewed the statistics and update reports, which were included in the meeting packet. She noted that only the first quarter is reflected in the statistics as we are in a new fiscal year. Exams are booked until the end of the year.

Mr. Weeks stated that he believes the fine for denying inspectors entry into establishments is too low. Mr. Matos noted that there is more failure of the written than the practical exam and asked how the removal of practical exam will affect candidates. Ms. Underwood stated that we won't see a difference because candidates still must pass the written anyway. Ms. Pham asked how many Disciplinary Review Committee hearings it would take to catch up. Ms. Underwood answered that we have about three months' worth pending.

Ms. Underwood explained that Strategic Plan development started in 2017 and the Board will start a new plan in 2022. Many of the items that have not been completed yet were on hold because Sunset Review was supposed to occur in 2018.

Ms. Underwood stated that SB 803 links were added to the Board's website and encouraged licensees to read the bill text. Ms. Underwood reviewed the SB 803 Implementation Plan and explained that some items will have a slower implementation as regulations are required. She has been in contact with the Department of Consumer Affairs and the Bureau for Private Post-secondary Education for assistance.

8. Agenda Item #8, PROPOSED BOARD MEETING DATES AND LOCATIONS FOR 2022

Ms. Underwood told the board that the dates are flexible and she would like the January 2022 meeting to be in-person. She would like it to be a hybrid meeting with all members present and the public given the option to attend or call in.

9. Agenda Item #9, LEGISLATIVE UPDATE, DISCUSSION AND POSSIBLE ACTION ON PROPOSED BILLS

- a) **AB 29 (COOPER)** – Bill did not move.
- b) **AB 107 (SALAS)** – Bill no longer impacts the Board.
- c) **AB 231 (NGUYEN)** – Bill did not move.
- d) **AB 492 (PATTERSON)** – Language was moved to SB 803.
- e) **AB 1561 (COMMITTEE ON LABOR AND EMPLOYMENT)** – Impacts manicurists, Board didn't take a position, but it was signed.
- f) **SB 607 (MIN AND ROTH)** – Bill signed, requires a waiver of the license application fee for those in the military.
- g) **SB 803 (ROTH)** – Bill was already discussed in Agenda Item #7.

10. Agenda Item #10, REGULATIONS STATUS UPDATE

- a) **Rulemaking Proposal to Amend title 16. California Code of Regulations (CPR) sections 913, 913.1, 914, 914.1, 914.2, 915, 916, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)**
- b) **Rulemaking Proposal to Amend Title 16, CCR, section 950.10 (Transfer of Credit or Training)**
- c) **Rulemaking Proposal to Amend Title 16, CCR section 961 (Instructional material) – No motions needed, just an update.**
- d) **Rulemaking Proposal to Amend Title 16, CCR sections 962, 962.1 and 962.2 (Externs)**
- e) **Rulemaking Proposal to Amend Title 16, CCR section 972 (Disciplinary Guidelines)**
- f) **Rulemaking Proposal to Amend Title 16, CCR section 974.1 (Disciplinary Review Committee)**

Ms. Underwood stated that Instructional Materials package is currently going through the 45-day comment period. The Transfer of Credit, Externs, and Disciplinary Review Committee regulation packages were put on hold because SB 803 impacted the language. Now that SB 803 was signed, Board staff will review the packages to determine whether they need to be updated before continuing with moving the packages. The Apprenticeship and Disciplinary Guidelines packages are under review by the DCA Regulations Unit.

11. Agenda Item #11, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

- Wendy Jacobs suggested that the tint issue is becoming problematic. Henna is also an issue due to it not being made in the traditional Indian way. She also brought up the fact the EU has been allowing brow and eyelash tints with little to no reported injuries.
- Tala D., litigation counsel for PETA, wanted to discuss the unlawful fish spa services being offered and requested that the board take action to enforce the current ban.
- Peter W. wanted to know what will be required of theory hours under SB 803 for cosmetology.
- “MacBook” wanted to know if there how to transfer existing credits to a new program.
- Sandra Honesto stated her students are in limbo and wants to know which test to prepare students for.
- “Mvasq” asked if dermaplaning can be performed by a licensed cosmetologist or barber since estheticians are allowed to perform it.
- Alicia feels all benefit from the raising fines of denying inspectors entry, as it is for the public’s safety and well-being.
- Jamie Schrabek feels there are going to be issues with labor in the future as the board does not report to the labor committee. She wants to see apprentices and externs as permits, not licenses.

12. Agenda Item #12, SUGGESTIONS FOR FUTURE AGENDA ITEMS

No suggestions for future agenda items were offered.

13. Agenda Item #13, ADJOURNMENT

There being no further business, the meeting adjourned at approximately 1:09 p.m.