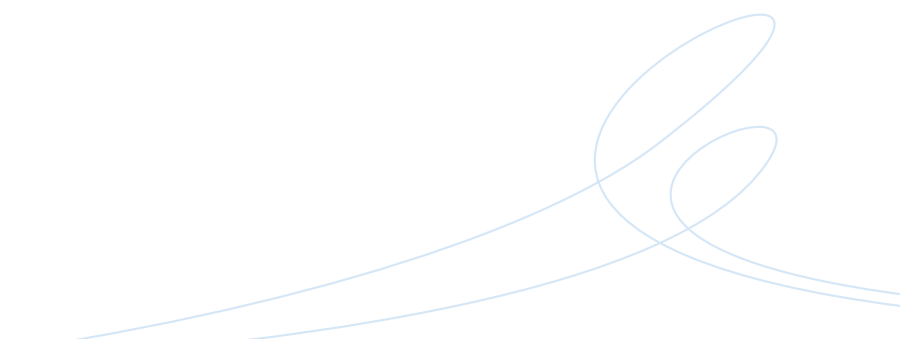


**California Board of Barbering and Cosmetology
Addendum to the 2018 Sunset Report
December 1, 2020**





BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY – GAVIN NEWSOME, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS
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November 19, 2020

The Honorable Steven Glazer, Chair
Senate Committee on Business,
Professions and Economic Development
State Capitol
Sacramento, CA 95814

The Honorable Evan Low, Chair
Assembly Committee on Business,
Professions and Economic Development
State Capitol
Sacramento, CA 95814

Dear Senator Glazer and Assembly Member Low,

On behalf of the Board of Barbering and Cosmetology (Board), it is my pleasure to provide the attached addendum to the Board's 2018 Sunset Report. This addendum provides the requested information on the Board's response to the COVID-19 pandemic as well as updated statistics for our licensing, examinations and enforcement units.

We look forward to working with the Legislature, Administration and our stakeholders to further the Board's mission of consumer protection.

Respectfully,

A handwritten signature in cursive script that reads "K. Underwood".

Kristy Underwood
Executive Officer
California Board of Barbering
and Cosmetology

Board Actions and Responses to COVID-19.

1. In response to COVID-19, has the board implemented teleworking policies for employees and staff?

The Board established teleworking on March 20, 2020 as a result of the COVID-19 pandemic. The Board currently operates with 85% of staff teleworking. The remainder of the staff work in the office and practice social distancing.

- a. How have those measures impacted board operations? If so, how?

The majority of the Board's staff operates out of the Sacramento headquarters office and have not been impacted. The impact is at the two examination facilities located in Fairfield and Glendale.

On March 17, 2020 the Board closed its examination facilities. The Fairfield site reopened on June 22, 2020 and the Glendale site reopened on June 29, 2020. Both sites reopened at reduced capacity to allow for social distancing. Prior to the pandemic, the daily number of candidates examined by the Board was 64 candidates at the Fairfield site and 96 candidates at the Glendale site. In order to maintain social distancing, the Board is now examining 36 at the Fairfield site and 64 at the Glendale site.

The Board is currently working on re-scheduling the candidates that had their exam canceled as well as all the candidates who applied during the pandemic. The Board's examination sites are currently booked through the end of 2020.

2. In response to COVID-19, has the board utilized any existing state of emergency statutes?

The Board has not utilized any existing state of emergency statutes.

- a. If so, which ones, and why?

3. Pursuant to the Governor's Executive Orders N-40-20 and N-75-20, has the board worked on any waiver requests with the Department?

The Board has not worked on any waiver requests with the Department.

- a. Of the above requests, how many were approved?
- b. How many are pending?
- c. How many were denied?
- d. What was the reason for the outcome of each request?

4. In response to COVID-19, has the board taken any other steps or implemented any other policies regarding licensees or consumers?

As a result of COVID-19, the Board has taken several steps to increase awareness and promote safer practices.

Inspections

The Board temporarily restructured its inspections program to address the pandemic. Initially, all inspectors were taken out of the field. Inspectors were tasked with calling

establishments to provide information on the current health orders. As establishments began to reopen, inspectors returned to the field on an educational basis only. Inspectors visited establishments but did not conduct inspections. Instead, they offered information on the current health orders and provided a Returning to Work checklist created by the Board. As changes were made to the health orders, which varied from allowing outside services to limited services indoors and then ultimately allowing all services indoors, the inspections process has changed as well.

Inspectors are slowly returning to conducting inspections and only inspect if it is safe to do so (such as when all licensees are following the COVID-19 guidance). Inspectors are only inspecting for the most egregious violations that may result in consumer harm. Board inspectors have observed that an overwhelming majority of establishments are following the guidance of wearing facial coverings and social distancing.

Outreach

The Board prepared a “Returning to Work Checklist” and provided it to establishments that were visited by inspectors as well as emailed the checklist to listserv accounts. The Board has sent various emails to licensees informing them of updates to public health orders and general educational reminders such as the importance of wearing a mask and social distancing. The Board also developed a COVID-19 informational page on its website that includes:

- COVID-19 Information
- Establishment Guidelines
- Examination Information
- School Information
- Links to:
 - The California Department of Public Health
 - U.S. Center for Disease Control
 - The Department of Consumer Affairs COVID-19 Information
 - The Board’s News Release Encouraging Proper Handwashing

In addition, the Board has translated all of its COVID-19 information into Korean, Spanish, and Vietnamese.

Board staff have also participated in various events to help licensees understand the importance of staying safe and to promote the guidance established by the State’s Department of Public Health and individual county departments of public health. Board staff have:

- Participated in 19 outreach events
- Sent informational emails to 532,212 licensees and interested parties
- Created and distributed a postcard (available in seven languages) to remind individuals to wear a facial covering
- Created and distributed a poster (available in three languages) for establishments to display to remind individuals to wear a face covering.

In November, as part of the Governor’s Task Force, the Board worked with San Bernardino, Riverside and Los Angeles counties to provide assistance in promoting guidelines that will reduce the spread of COVID-19. In doing so, the Board completed the following:

- Visited all establishments in San Bernardino County to educate licensees on the importance of encouraging clients to follow health guidance.
- Conducted joint inspections with the Los Angeles Department of Public Health to demonstrate a united front in the industry.

The Board plans to continue with outreach and inspections throughout the coming year to help reduce the spread of COVID-19.

5. Has the board recognized any necessary statutory revisions, updates or changes to address COVID-19 or any future State of Emergency Declarations?

The Board's current health and safety regulations exist to ensure customers are protected when receiving beauty and barbering services. These regulations are reviewed and approved by the California Department of Public Health prior to adoption. The regulations already include a significant amount of health and safety, sanitation, and disinfection requirements. The Board believes that the current regulations are enough to reduce the spread of any future pandemic, however, the Board's Health and Safety Committee is meeting on December 18, 2020 and will discuss if any guidance measures should be placed into regulations.

Licensing Data			
	FY 2017/18	FY 2018/19	FY 2019/20
Total Licenses Issued	26,552	27,728	22,958
Total Licenses Renewed	234,274	240,530	242,109

Table 6. Licensee Population				
		FY 2017/18	FY 2018/19	FY 2019/20
Establishments	Active	46,999	47,776	47,707
	Delinquent	4,265	4,835	6,034
	Retired	1	1	1
	Out of State	N/A	N/A	N/A
	Out of Country	N/A	N/A	N/A
Mobile Unit	Active	32	33	30
	Delinquent	12	15	18
	Retired	0	0	0
	Out of State	N/A	N/A	N/A
	Out of Country	N/A	N/A	N/A
Barber	Active	24,896	25,616	26,492
	Delinquent	5,079	5,616	5,606
	Retired	7	6	14
	Out of State	1,625	N/A	N/A
	Out of Country	3	N/A	N/A
Barber Apprentice	Active	1,410	1,516	1,487
	Delinquent	0	0	0
	Retired	N/A	N/A	N/A
	Out of State	N/A	N/A	N/A
	Out of Country	N/A	N/A	N/A
Cosmetology	Active	260,069	255,151	254,354
	Delinquent	54,485	58,278	54,893
	Retired	33	31	79
	Out of State	27,716	N/A	N/A
	Out of Country	248	N/A	N/A
Cosmetology Apprentice	Active	1,411	1,419	1,305
	Delinquent	0	0	0
	Retired	N/A	N/A	N/A
	Out of State	N/A	N/A	N/A
	Out of Country	N/A	N/A	N/A

		FY FY2017/18	FY 2018/19	FY 2019/20
Electrology	Active	1,335	1,272	1,222
	Delinquent	437	439	423
	Retired	1	1	3
	Out of State	199	N/A	N/A
	Out of Country	7	N/A	N/A
Electrology Apprentice	Active	1	1	0
	Delinquent	0	0	0
	Retired	N/A	N/A	N/A
	Out of State	N/A	N/A	N/A
	Out of Country	N/A	N/A	N/A
Manicurist	Active	103,981	102,904	102,977
	Delinquent	25,939	27,015	25,845
	Retired	9	9	13
	Out of State	16,336	N/A	N/A
	Out of Country	271	N/A	N/A
Esthetician	Active	71,333	72,983	75,198
	Delinquent	14,166	15,734	15,478
	Retired	2	2	4
	Out of State	7,249	N/A	N/A
	Out of Country	71	N/A	N/A
NOTE: "Out of State" and 'Out of Country' are two mutually exclusive categories. A licensee should not be counted in both.				

Table 7a Licensing Data by Type

Application Type		Received	Approved	Closed	Issued	Pending Applications			Cycle Times		
						Total (Close of FY)	Outside Board Control	Within Board Control	Complete Applications	Incomplete Applications	Combined, IF unable to separate out
FY 2017/18	Barber	5,138	4,584	629	2,275	388	298	90	19	69	24
	Barber Apprentice	869	885	14	885	22	0	22	19	88	25
	Cosmetology	16,322	14,864	1,636	7,151	1,576	1,165	411	19	74	25
	Cosmetology Apprentice	701	727	17	727	11	3	8	20	121	28
	Electrology	43	36	5	2	4	2	2	18	56	19
	Electrology Apprentice	1	1	0	1	0	0	0	14	0	14
	Esthetician	7,819	7,176	658	4,499	913	710	203	23	66	27
	Manicurist	8,267	6,821	1,085	3,399	1,617	1,467	150	21	108	33
	Establishments	7,939	7,610	612	7,609	542	335	207	20	49	25
	Mobile Units	11	4	1	4	7	7	0	0	88	88
FY 2018/19	Barber	5,952	5,316	634	1,998	346	218	128	12	55	17
	Barber Apprentice	886	866	17	866	95	83	12	18	81	27
	Cosmetology	14,856	13,430	1,999	6,599	1,006	706	300	15	61	20
	Cosmetology Apprentice	877	851	18	851	104	80	24	17	67	24
	Electrology	83	73	11	33	6	4	2	14	16	15
	Electrology Apprentice	0	0	0	0	0	0	0	0	0	0
	Esthetician	8,361	7,785	986	5,031	549	343	206	15	55	18
	Manicurist	9,107	8,352	1,728	4,587	647	479	168	15	66	19
	Establishments	8,443	7,744	663	7,744	538	289	249	17	46	22
	Mobile Units	7	6	3	6	5	4	1	0	118	118

Table 7a Licensing Data by Type (con't)											
					Pending Applications			Cycle Times			
Application Type	Received	Approved	Closed	Issued	Total (Close of FY)	Outside Board Control	Within Board Control	Complete Applications	Incomplete Applications	Combined, IF unable to separate out	
FY 2019/20	Barber	5,124	4,627	563	1,704	145	142	3	17	78	22
	Barber Apprentice	826	828	5	828	72	72	0	21	74	41
	Cosmetology	11,335	10,424	1,374	4,845	383	377	6	20	86	28
	Cosmetology Apprentice	667	653	17	652	65	65	0	22	76	42
	Electrology	62	57	8	31	1	1	0	8	20	20
	Electrology Apprentice	0	0	0	0	0	0	0	0	0	0
	Estetician	7,659	7,437	505	4,224	189	187	2	20	80	26
	Manicurist	7,781	7,705	539	3,676	162	161	1	21	114	28
	Establishments	7,786	7,014	579	7,014	319	315	4	21	57	29
	Mobile Units	14	5	5	5	9	9	0	67	161	142

Table 7b. Total Licensing Data			
	FY 2017/18	FY 2018/19	FY 2019/20
Initial Licensing Data:			
*Initial License/Initial Examination Applications Received	47,110	48,572	41,254
*Initial License/Initial Examination Applications Approved	42,708	44,423	38,750
*Initial License/Initial Examination Applications Closed	4,657	6,059	3,595
Licenses Issued	26,552	27,715	22,979
Initial License/Initial Exam Pending Application Data:			
Pending Applications (total at close of FY)	5,080	3,297	1,348
Pending Applications (outside of board control) *	3,987	2,207	1,332
Pending Applications (within the board control) *	1,093	1,090	16
Initial License/Initial Exam Cycle Time Data (WEIGHTED AVERAGE):			
Average Days to Application Approval (all - complete/incomplete)	26	51	39
Average Days to Application Approval (incomplete applications) *	74	191	132
Average Days to Application Approval (complete applications) *	20	15	19
License Renewal Data:			
Licenses Renewed	234,274	240,530	242,109

*Optional. List if tracked by the board.

NOTE: The values in Table 7b are the aggregates of values contained in Table 7a.

Calendar Year	Initial Applications Received	Application Denials Due to Criminal Convictions	Percent of Application Denials Due to Criminal Convictions
2016	25,296	1	.003%
2017	23,830	3	.013%
2018	29,795	5	.017%
2019	31,386	1	.003%
Total	164,055	13	

FY 2017 through 2020 Licensure Denials and Criminal Convictions

FY 2017/18 (2 denials)	243.4(e)(1) Assault and Battery (Sexual Battery)	O.C.G.A. 16-6-16 Masturbation for hire, O.C.G.A. 16-6-17 Giving massages in place used for lewdness, prostitution, assignation, or masturbation for hire, O.C.G.A. 43-24A-15 Massage Therapy Practice Unlawful acts, PC 647(b) Prostitution		
FY 2018/19 (4 denials)	PC 187. (a) Murder is the unlawful killing of a human being, or a fetus, with malice aforethought.	PC 311.4 (c) Every person who, with knowledge that a person is a minor under the age of 18 years, or who, while in possession of any facts on the basis of which he or she should reasonably know that the person is a minor under the age of 18 years, knowingly promotes, employs, uses, persuades, induces, or coerces a minor under the age of 18 years, or any parent or guardian of a minor under the age of 18 years under his or her control who knowingly permits the minor, to engage in or assist others to engage in either posing or modeling alone or with others for purposes of preparing any representation of information, data, or image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disc, data storage media, CD-ROM, or computer-generated equipment or any	PC 288a(c)(1) (a) Except as provided in subdivision (i), a person who willfully and lewdly commits any lewd or lascivious act, including any of the acts constituting other crimes provided for in Part 1, upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person or the child, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years. (c) (1) A person who commits an act described in subdivision (a) with the intent described in that subdivision, and the victim is a child of 14 or 15 years, and that person is at least 10 years older	PC 288a(c)(1) (a) Except as provided in subdivision (i), a person who willfully and lewdly commits any lewd or lascivious act, including any of the acts constituting other crimes provided for in Part 1, upon or with the body, or any part or member thereof, of a child who is under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust, passions, or sexual desires of that person or the child, is guilty of a felony and shall be punished by imprisonment in the state prison for three, six, or eight years. (c) (1) A person who

		<p>other computer-generated image that contains or incorporates in any manner, any film, filmstrip, or a live performance involving, sexual conduct by a minor under the age of 18 years alone or with other persons or animals, is guilty of a felony. It is not necessary to prove commercial purposes in order to establish a violation of this subdivision.</p>	<p>than the child, is guilty of a public offense and shall be punished by imprisonment in the state prison for one, two, or three years, or by imprisonment in a county jail for not more than one year. In determining whether the person is at least 10 years older than the child, the difference in age shall be measured from the birth date of the person to the birth date of the child.</p>	<p>commits an act described in subdivision (a) with the intent described in that subdivision, and the victim is a child of 14 or 15 years, and that person is at least 10 years older than the child, is guilty of a public offense and shall be punished by imprisonment in the state prison for one, two, or three years, or by imprisonment in a county jail for not more than one year. In determining whether the person is at least 10 years older than the child, the difference in age shall be measured from the birth date of the person to the birth date of the child.</p>
<p>FY 2019/20 (1 denial)</p>	<p>Any military member who sexually assaults, rapes, or physically abuses or threatens to abuse a child under the age of 16 will be charged under Article 120b of the Uniform Code of Military Justice (UCMJ). Adultery in the military is addressed under Article 134 of the UCMJ. Article 131 (Perjury) of the UCMJ. The act of giving false testimony can only be committed during a judicial proceeding.</p>			

Calendar Year	Licenses Disciplined Due to Criminal Convictions	Enforcement Cases	Percent Disciplined Due to Criminal Convictions
2016	0	45	0%
2017	0	100	0%
2018	1	57	1.8%
2019	1	65	1.5%
Total	5	379	1.32%

Correctional Facilities

Date of Examination	Type of Examination	# of Examinees	# Passed Written	# Passed Practical
5/19/2015	Cosmetology	7	7	7
6/4/2015	Cosmetology	6	6	6
6/4/2015	Manicuring	1	1	1
5/17/2016	Cosmetology	5	5	4
5/24/2016	Cosmetology	7	7	7
4/25/2017	Cosmetology	4	4	4
6/20/2017	Cosmetology	5	5	5
7/25/2018	Cosmetology	4	4	1
7/31/2018	Cosmetology	2	2	2
08/06/2019	Cosmetology	2	2	2
Total		43	43	39

WRITTEN EXAMINATION

Table 8. Examination Data

National-Interstate Council of State Boards of Cosmetology INITIAL WRITTEN EXAMINATIONS Examination Pass Results by Language								
	English		Spanish		Vietnamese		Korean	
FY 2017/18	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	1,955	76%	235	64%	50	86%	5	40%
Cosmetology	5,531	77%	702	45%	408	79%	128	78%
Esthetician	3,958	81%	23	48%	403	86%	99	90%
Electrology	22	77%	0	0%	0	0%	0	0%
Manicurist	1,163	76%	82	49%	2,168	79%	45	71%
FY 2018/19	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	2,304	52%	219	39%	37	54%	10	40%
Cosmetology	5,438	72%	678	47%	279	83%	71	77%
Esthetician	4,725	79%	23	35%	433	88%	85	91%
Electrology	37	76%	0	0%	0	0%	0	0%
Manicurist	1,406	74%	115	58%	3,255	81%	47	66%
FY 2019/20	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	1,790	56%	149	25%	62	60%	5	40%
Cosmetology	4,057	71%	485	46%	227	78%	52	87%
Esthetician	4,064	78%	37	59%	483	90%	55	89%
Electrology	32	75%	0	0%	0	0%	0	0%
Manicurist	1,381	76%	95	53%	2,541	83%	31	61%

WRITTEN EXAMINATION CONTINUED

Table 8. Examination Data								
	National-Interstate Council of State Boards of Cosmetology WRITTEN RETAKE EXAMINATIONS Examination Pass Results by Language							
	English		Spanish		Vietnamese		Korean	
FY 2017/18	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	1,118	55%	186	47%	11	64%	7	71%
Cosmetology	3,138	40%	1,234	28%	239	47%	65	49%
Esthetician	1,281	51%	11	36%	159	49%	21	81%
Electrology	13	46%	11	36%	0	0%	0	0%
Manicurist	667	43%	37	54%	927	46%	28	46%
FY 2018/19	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	1,687	36%	275	25%	24	33%	8	25%
Cosmetology	2,909	34%	1192	22%	122	42%	22	52%
Esthetician	1,516	49%	25	28%	106	56%	15	73%
Electrology	18	50%	0	0%	0	0%	0	0%
Manicurist	479	43%	63	43%	1,261	41%	22	45%
FY 2019/20	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	1,916	39%	350	23%	45	44%	9	11%
Cosmetology	2,896	38%	1019	30%	113	43%	24	67%
Esthetician	1,531	41%	25	28%	104	60%	10	70%
Electrology	11	55%	0	0%	0	0%	0	0%
Manicurist	530	43%	83	23%	1,227	41%	15	33%

WRITTEN EXAMINATION CONTINUED

Table 8. Examination Data								
	National-Interstate Council of State Boards of Cosmetology INITIAL AND RETAKE WRITTEN EXAMINATIONS RESULTS COMBINED Examination Pass Results by Language							
	English		Spanish		Vietnamese		Korean	
FY 2017/18	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	3,073	68%	421	57%	61	82%	12	58%
Cosmetology	8,669	64%	1,936	34%	647	67%	193	68%
Esthetician	5,239	74%	34	44%	562	76%	120	88%
Electrology	35	66%	0	0%	0	0%	0	0%
Manicurist	1,830	64%	119	50%	3,095	69%	73	62%
FY 2018/19	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	4,008	45%	494	31%	61	46%	18	33%
Cosmetology	8,481	58%	1,880	31%	402	71%	95	72%
Esthetician	6,279	71%	49	31%	542	81%	100	88%
Electrology	56	68%	0	0%	0	0%	0	0%
Manicurist	2,027	65%	183	54%	4,555	70%	70	60%
FY 2019/20	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	3,722	47%	505	23%	107	53%	14	21%
Cosmetology	7,064	58%	1587	34%	342	67%	76	80%
Esthetician	5,631	68%	63	46%	588	84%	66	86%
Electrology	42	71%	0	0%	0	0%	0	0%
Manicurist	2,086	63%	183	38%	3,792	70%	46	52%

Note: National written examination administered effective May 1, 2009.

PRACTICAL EXAMINATION

Examination Title		National-Interstate Council of State Boards of Cosmetology INITIAL PRACTICAL EXAMINATION RESULTS Examination Pass Results				
License Type		Barber	Cosmetology	Esthetician	Electrology	Manicurist
FY 2017/18	# of Candidates	2,214	6,730	4,474	23	3,518
	Pass %	80%	76%	95%	96%	71%
FY 2018/19	# of Candidates	2,585	6,570	5,367	38	4,924
	Pass %	63%	71%	88%	68%	71%
FY 2019/20	# of Candidates	2,000	4,872	4,751	32	4,155
	Pass %	61%	70%	84%	59%	68%
Examination Title		National-Interstate Council of State Boards of Cosmetology RETAKE PRACTICAL EXAMINATION RESULTS Examination Pass Results				
License Type		Barber	Cosmetology	Esthetician	Electrology	Manicurist
FY 2017/18	# of Candidates	877	2,857	571	4	1,735
	Pass %	65%	69%	92%	100%	67%
FY 2018/19	# of Candidates	1,321	2,805	616	10	1,711
	Pass %	51%	56%	68%	60%	61%
FY 2019/20	# of Candidates	1,023	2,000	655	19	1,570
	Pass %	49%	53%	64%	84%	57%
Examination Title		National-Interstate Council of State Boards of Cosmetology INITIAL AND RETAKE PRACTICAL EXAMINATION RESULTS COMBINED Examination Pass Results				
License Type		Barber	Cosmetology	Esthetician	Electrology	Manicurist
FY 2017/18	# of Candidates	3,091	9,587	5,045	27	5,253
	Pass %	76%	74%	95%	96%	70%
FY 2018/19	# of Candidates	3,906	9,375	5,983	48	6,635
	Pass %	59%	67%	86%	67%	68%
FY 2019/20	# of Candidates	3,023	6,873	5,406	51	5,725
	Pass %	57%	65%	81%	69%	65%
Date of Last OA		2015	2017	2013	2012	2017
Name of OA Developer		National-Interstate Council of State Boards of Cosmetology (NIC)				
Target OA Date		2020	2022	2019	2018	2024

Note: National practical examination administered effective October 3, 2011.

ENFORCEMENT

Performance Measure	Definition	Target	Actual FY 2019/20
PM1 Volume	Number of complaints received.	*	6,343
PM2 Cycle Time	Average number of days to complete complaint intake.	10 days	7 days
PM3 Cycle Time	Average number of days to complete closed cases not resulting in formal discipline.	120 days	71 days
PM4 Cycle Time	Average number of days to complete cases resulting in formal discipline.	540 days	604 days
PM5 Efficiency (cost)	Average cost of intake and investigation for complaints not resulting in formal discipline.	**	N/A
PM6 Customer Satisfaction	Customer satisfaction with the service received during the enforcement process.	75% Satisfaction	***
PM7 Cycle Time (probation monitoring)	Average number of days from the date a probation monitor is assigned to a probationer to the date the monitor makes first contact.	15 days	1 day
PM8 Initial Contact Cycle Time (probation monitoring)	Average number of days from the time a violation is reported to the program to the time the monitor responds.	5 days	1 day

Trends by Case Type			
	FY 2017/18	FY 2018/19	FY 2019/20
Complaints Received Intake	5,502	4,886	6,343
Criminal Convictions Cases Opened	11	7	9
Application Cases Opened for Fraudulent Documents	1,539	489	5
Exam Applications Denied	444	538	10
Licenses Revoked Fraudulent Documents	2	0	0
Licenses Surrendered Fraudulent Documents	2	0	0
Complaints Received from External Stakeholders	3,196	3,403	5,510

Table 9a. Enforcement Statistics

	FY 2017/18	FY 2018/19	FY 2019/20
COMPLAINT			
Intake			
Received	5,502	4,886	6,346
Closed	1	3	22
Referred to Investigator	5,401	4,810	6,281
Average Time to Close	3	4	7
Pending (close of FY)	35	108	151
Source of Complaint			
Public	3,179	3,384	5,471
Licensee/Professional Groups	5	4	1
Governmental Agencies	12	17	38
Other	2,306	1,481	832
Conviction/Arrest			
Conviction Received	11	17	9
Conviction Closed	0	0	0
Average Time to Close	1	7	5
Conviction Pending (close of FY)	0	3	1
LICENSE DENIAL			
License Applications Denied	444	537	10
Statement of Issues Filed	5	22	3
Statement of Issues Withdrawn	0	0	1
Statement of Issues Dismissed	0	0	0
Statement of Issues Declined	0	0	0
Average Days Statement of Issues	0	153	372
ACCUSATION			
Accusations Filed	65	78	71
Accusations Withdrawn	5	1	3
Accusations Dismissed	1	0	1
Accusations Declined	0	2	0
Average Days Accusations	631	665	520
Pending (close of FY)	33	39	13
DISCIPLINE			
Disciplinary Actions			
Proposed/Default Decisions	29	26	27
Stipulations	38	54	36
Average Days to Complete	651	633	691
AG Cases Initiated	91	101	73
AG Cases Pending (close of FY)	78	87	66

Disciplinary Outcomes			
Revocation	30	17	30
Voluntary Surrender	16	14	27
Suspension	0	1	1
Probation with Suspension	43	36	35
Probation	12	12	6
Probationary License Issued	0	0	0
Other	0	0	0
PROBATION			
New Probationers	50	50	33
Probations Successfully Completed	64	36	29
Probationers <small>(close of FY)</small>	135	142	145
Petitions to Revoke Probation	20	7	6
Probations Revoked	12	9	3
Probations Modified	0	0	0
Probations Extended	2	1	1
Probationers Subject to Drug Testing	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A
Petition for Reinstatement Granted	2	2	2
DIVERSION			
New Participants	N/A	N/A	N/A
Successful Completions	N/A	N/A	N/A
Participants <small>(close of FY)</small>	N/A	N/A	N/A
Terminations	N/A	N/A	N/A
Terminations for Public Threat	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A

Table 9b. Enforcement Statistics			
	FY 2017/18	FY 2018/19	FY 2019/20
INVESTIGATION			
All Investigations			
First Assigned	5,412	4,826	6,291
Closed	4,836	5,444	5,568
Average days to close	89	79	67
Pending (close of FY)	1,633	1,024	1,721
Desk Investigations			
Closed	5,066	5,449	5,685
Average days to close	49	45	33
Pending (close of FY)	1,041	348	1,123
Non-Sworn Investigation			
Closed	1,223	1,398	1,460
Average days to close	104	103	114
Pending (close of FY)	511	381	333
Sworn Investigation			
Closed	17	11	13
Average days to close	198	322	182
Pending (close of FY)	10	9	9
COMPLIANCE ACTION			
ISO & TRO Issued	0	0	0
PC 23 Orders Requested	2	0	0
Other Suspension Orders	0	0	0
Public Letter of Reprimand	0	0	0
Cease & Desist/Warning	0	0	0
Referred for Diversion	0	0	0
Compel Examination	0	0	0
CITATION AND FINE			
Citations Issued	12,459	15,075	9,997
Average Days to Complete	36	32	22
Amount of Fines Assessed	\$4,745,162	\$6,187,226	\$4,683,837
Reduced, Withdrawn, Dismissed	N/A	N/A	N/A
Amount Collected	\$4,918,344	\$5,781,750	\$3,554,313
CRIMINAL ACTION			
Referred for Criminal Prosecution	4	0	0

Table 10. Enforcement Aging

	FY 2017/18	FY 2018/19	FY 2019/20	Cases Closed	Average %
Attorney General Cases (Average %)					
Closed Within:					
0 - 1 Year	8	13	6	27	12%
1 - 2 Years	36	42	42	120	55%
2 - 3 Years	19	20	18	57	26%
3 - 4 Years	2	4	4	10	5%
Over 4 Years	2	1	2	5	4%
Total Attorney General Cases Closed	67	80	72	219	N/A
Investigations (Average %)					
Closed Within:					
90 Days	3,047	3,742	4,156	10,945	69%
91 - 180 Days	1,034	1,059	758	2,851	18%
181 - 1 Year	624	498	517	1,639	10%
1 - 2 Years	115	134	128	377	2%
2 - 3 Years	12	9	6	27	.002%
Over 3 Years	4	2	3	9	.0005%
Total Investigation Cases Closed	4,836	5,444	5,568	15,848	N/A

Board Enforcement Cases - DAG Case Statistics

	FY 2017/18	FY 2018/19	FY 2019/20
Referred	91	101	73
Accusations Filed	65	78	71
Statements of Issues Filed	5	22	3
Average Days to Complete	651	633	691

Complaint Case Final Decision Types

	FY 2017/18	FY 2018/19	FY 2019/20	Total	Percent
Default Decisions	21	12	34	67	29%
Proposed Decisions	8	14	11	33	14%
Stipulated Settlement Decisions	38	54	40	132	57%
Grand Total	67	80	85	232	N/A

Most Common Complaint Allegations								
	FY 2017/18		FY 2017/18		FY 2019/20		Total	
Health and Safety	1,604	41%	1,647	39%	3,473	56%	6,724	47%
Non-Jurisdictional	319	8%	353	8%	645	10%	1,317	9%
Incompetence/Negligence	438	11%	410	9%	266	4%	1,114	8%
Unlicensed	1,555	40%	1,865	44%	1,815	30%	5,235	36%
Total	3,916		3,916		6,199		14,390	

Cite and Fine Program Statistics					
	FY 2016/17		FY 2017/18	FY 2018/19	FY 2019/20
Establishments Inspected	14,151		11,061	11,458	6,337*
Citations Issued to Establishments	10,437		6,007	8,404	4,965*
Citations Issued to Individuals	8,034		5,842	6,998	5,015*
Total Citations Issued	18,471		12,776	15,402	9,980*
Establishments with No Violations Cited	4,056		2,957	3,064	1,517*

*Due to COVID-19 inspections were not conducted from Mid-March through June 30, 2020.

	FY 2016/17		FY 2017/18	FY 2018/19	FY 2019/20
Citations Modified Down to \$5,000	1		2	1	1

Number of Violations by Fiscal Year				
Violation	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
CCR §979 Non-electrical instruments - not disinfected properly	10,269	8,116	8,129	5,135
CCR §988 Storage and labeling of liquids, creams, powders and cosmetics	4,921	4,286	4,369	2,761
CCR §981(a) No disposal of instruments and supplies that cannot be disinfected	4,189	3,854	3,729	2,372
CCR §965 Proper display of license	3,651	3,019	3,427	2,494
CCR §986* Neck duster and brushes not disinfected or stored properly	4,106	3,513	3,908	2,936
*CCR §986 Verbiage was updated effective January 1, 2016.				

	FY 2017/18	FY 2018/19	FY 2019/20
Average fine amount pre-appeal	\$873	\$697	\$782
Average fine amount post-appeal	\$589	\$557	\$571

DRC Annual Costs			
	FY 2017/18	FY 2018/19	FY 2019/20
Travel Expenses	\$26,008	\$19,403	\$13,006
Board Member Wages	\$16,700	\$11,300	\$6,500
Staff Wages	\$16,691	\$10,116	\$6,545
Total Cost	\$59,399	\$40,819	\$26,051

DRC Statistics			
	FY 2017/18	FY 2018/19	FY 2019/20
Total Appeals Received	1157	1146	914
Appeals Pending at FY End	314	252	466
Scheduled	1450	1176	682
Appeared	885	735	434
Defaulted	340	244	170
Withdrawals	225	197	78

Administrative Law Judge (ALJ) Appeals			
	FY 2017/18	FY 2018/19	FY 2019/20
Total Appeals Referred to ALJ	22	18	17
Appeals Pending at FY End	17	15	17
Scheduled	29	24	24
Appeared	20	13	13
Defaulted	3	3	5
Withdrawals	6	8	6
Hearings	22	13	13
Affirmed	14	7	8
Modified	6	6	4
Dismissed	2	0	1

Cost Recovery Ordered FY 2017 through FY 2018		
Revocation	Surrenders	Probationers
20 cases	11 cases	78 cases
\$73,954.25	\$66,055.00	\$193,520.10

Table 11. Cost Recovery (list dollars in thousands)				
	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20
Total Enforcement Expenditures	\$881,474	\$808,034**	\$839,775	\$1,074,010
Potential Cases for Recovery*	85	67	80	85
Cases Recovery Ordered	38	32	48	40
Amount of Cost Recovery Ordered	\$105,656	\$91,841	\$123,780	\$116,078
Amount Collected	\$76,488	\$82,555	\$83,179	\$80,170
* Potential Cases for Recovery” are those cases in which disciplinary action has been taken base on violation of the license practice act. ** FI\$Cal FM 12 06/30/2018 Accounts 5340310, 5340320, 5340510, 5340540, 5340540, 5340580, 5342500. Numbers not finalized as of 10/01/2018				

Table 12. Restitution (list dollars in thousands)			
	FY 2017/18	FY 2018/19	FY 2019/20
Amount Ordered	0	0	0
Amount Collected	0	0	0

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