

**BOARD OF BARBERING AND COSMETOLOGY**

Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii

MINUTES OF MEETING

Date: Monday, April 13, 2015

Time: 1:05 p.m.

Place: Queen Liliuokalani Conference Room  
King Kalakaua Building, 1<sup>st</sup> Floor  
335 Merchant Street  
Honolulu, Hawaii 96813

Present: Lance M. Marugame, Barber Member, Chairperson  
Alexander Choi, Public Member  
Angela Howard, Public Member  
Lynnette F. McKay, Cosmetology Member  
Chad Nelson, Public Member  
Christobal Quintana, Barber Member  
Anne Tokunaga, Cosmetology Member  
Rodney J. Tam, Deputy Attorney General ("DAG")  
Laureen M. Kai, Executive Officer  
Lori Nishimura, Secretary

Guests: Tricia Guzman, EWC Hawaii  
Jennifer N. Deal, MEd, Hospice Hawaii  
David Pang, EWC Hawaii  
Jennifer Pang, EWC Hawaii  
Kimberly Tangjian, EWC Hawaii  
Kari Uyehara, EWC Hawaii

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Hawaii Revised Statutes ("HRS") section 92-7(b).

Call to Order: There being a quorum present, the meeting was called to order at 1:05 p.m. by Chairperson Marugame.

Executive Session: At 1:06 p.m., it was moved by Ms. Howard, seconded by Mr. Choi, and unanimously carried for the Board to enter into Executive Session to consider and evaluate personal information relating to individuals applying for licensure in accordance with HRS section 92-5(a)(1).

EXECUTIVE SESSION

At 1:23 p.m., it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried for the Board to move out of Executive Session.

Chairperson Marugame acknowledged the guests to the meeting and invited them to address the Board. The guests represented EWC Hawaii, a new beauty shop applicant, which was not listed on the meeting agenda. Mr. David Pang stated that they were in attendance today to ask for the Board's kindness to add their application for new beauty shop to the meeting agenda. Mr. Pang apologized for not submitting the application on time to meet the deadline date in order to be placed on the agenda, noting that due diligence was not completed on their part on the licensing process. He also mentioned that they have twelve (12) hired employees who want to work. It was noted that their initial application was submitted one day after the meeting agenda was filed. Mr. Pang thanked the Board for the opportunity to address the Board to personally ask for the Board's approval to add their application to the agenda.

Additions/  
Revisions to  
Agenda:

After much discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to not add the new beauty shop application, EWC Hawaii, to today's Board meeting agenda.

Executive Officer Kai requested for the Board to amend the agenda, to correct typographical errors, as follows:

- Revisions: 4. CHAPTER 91, HRS ADJUDICATORY MATTERS  
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[A] B. In the Matter of the Beauty Shop  
License of WARAKU INTERNATIONAL,  
INC.; BAR 2014-20-L
5. APPLICATIONS  
\*\*\*  
C. Beauty Shop/Barber Shop License  
(1) Advanced Medi-Spa LLC  
(New Beauty Shop [Relocation])

After discussion, it was moved by Ms. Howard, seconded by Mr. Nelson, and unanimously carried to approve the above revisions.

Minutes of the  
March 9, 2015  
Board Meeting:

After discussion, it was moved by Ms. Howard, seconded by Ms. McKay, and unanimously carried to approve the minutes of the March 9, 2015 Board meeting, as circulated.

The Board's consensus was to skip Agenda items #4 to #6, until DAG Tam arrived to the meeting.

Hawaii  
Administrative  
Rules ("HAR"):

A. Report from the Investigative Committee on Amendments to HAR Chapter 16-73 (Barbering)

No report. Executive Officer Kai inquired as to the status of the rule revisions. The committee reported that its work is ongoing.

B. HAR Chapter 16-78 (Cosmetology)

(1) Report from the Investigative Committee on Amendments to Entire Chapter

No report. Executive Officer Kai inquired as to the status of the rule revisions. The committee reported that its work is ongoing.

(2) Report from the Executive Officer on Amendments to Rules Relating to the State Authorization of Licensed Beauty Schools by the U.S. Department of Education

Executive Officer Kai stated that the Small Business Regulatory Review Board reviewed and approved the proposed rule amendments at its March 18, 2015 meeting. She stated the next step is to obtain approval from the Governor to conduct a public hearing; a request letter has been submitted to the Governor and upon gaining his approval, Ms. Kai anticipates conducting a public hearing prior to the start of the Board's June meeting.

Open Forum: None.

Next Board Meeting: Monday, May 11, 2015  
1:00 p.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building,  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Announcements: None.

DAG Tam arrived to the meeting at 1:38 p.m.

To accommodate the guest, Jennifer N. Deal, MEd, the Board's consensus was to discuss Agenda #6, Presentation by Hospice Hawaii, Jennifer N. Deal, MEd at this time.

Presentation by  
Hospice Hawaii –  
Jennifer N. Deal,  
MEd:

Ms. Deal introduced herself as the volunteer coordinator at Hospice Hawaii for six (6) years. She expressed her gratitude to the Board in helping to get the word out of volunteering opportunities to provide haircuts to their patients, most who are home bound (60%) and not capable of driving to a barber shop or beauty shop. Ms. Deal provided Volunteer Application pamphlets for Board members to disseminate where appropriate.

Discussion ensued on liability issues; Ms. Deal stated that Hospice Hawaii does carry its own general liability insurance. Ms. Deal stated that prospective volunteers are psychologically evaluated and criminal background checks are conducted. Executive Officer Kai commented that a license would not be required as the volunteers are not providing services within their scopes of practice for compensation. Ms. Deal noted that volunteers are not acknowledged publicly; however their efforts are very much appreciated. Ms. Deal was thanked for attending today's meeting.

At 1:44 p.m., the Board recessed the meeting to discuss and deliberate on the following adjudicatory matters pursuant to HRS chapter 91:

Chapter 91, HRS,  
Adjudicatory Matters:

A. In the Matter of the Beauty Operator's License of  
KIM MAI WOMACK; BAR 2014-9-L

DAG Tam provided a summary of the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order regarding Kim Mai Womack. He stated that Kim Mai Womack, Respondent, who holds a beauty operator's license performed services on the premises of Ilima's Nail & Spa ("Ilima"), an unregistered trade name and unlicensed beauty shop used by the Respondent, for compensation. Respondent also permitted an individual who was not licensed as a beauty operator, apprentice or holder of a temporary permit to perform cosmetology on the premises of Ilima for compensation. RICO alleges that the Respondent violated HRS sections 439-2(b), and 439-19(a)(3).

Terms of the Settlement Agreement:

- Administrative fine in the amount of five hundred (\$500.00) dollars.
- Failure to fully and timely comply with terms of the Settlement Agreement shall result in the automatic revocation of Respondent's license.

After discussion, it was moved by Ms. Mckay, seconded by Mr. Quintana, and unanimously carried to approve the Settlement Agreement relating to the Matter of the Beauty Operator's License of Kim Mai Womack; BAR 2014-9-L.

B. In the Matter of the Beauty Shop License of WARAKU INTERNATIONAL, INC.; BAR 2014-20-L

DAG Tam provided a summary of the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order regarding Waraku International, Inc., Respondent. He stated that the Respondent, beauty shop owner, obtained their license on June 5, 2012. On April 24, 2014, and May 13, 2014, an individual who was not licensed as a beauty operator, apprentice or holder of a temporary permit provided hairdresser services at Respondent's beauty shop for compensation. Respondent also offered cosmetology services to the public under the trade name "R. Couture Beauty Salon" from March 2012 to May 2014; failed to inform the Board of this trade name before Respondent began doing business under this trade name. On April 24, 2014, had no written "notice of price list" displayed on Respondent's beauty shop and did not display its beauty shop license or any other person's license on its premises. RICO alleges that the Respondent violated HRS sections 439-2(a), 439-17(e), 439-19(a)(3), 439-19(a)(4), 439-19(a)(6) and HAR sections 16-78-3(c) and 16-78-43(a).

Terms of the Settlement Agreement:

- Administrative fine in the amount of one thousand five hundred (\$ 1,500.00) dollars.
- Failure to fully and timely comply with terms of the Settlement Agreement shall result in

the automatic revocation of Respondent's license.

After discussion, it was moved by Ms. Howard, seconded by Ms. Tokunaga, and unanimously carried to approve the Settlement Agreement relating to the Matter of the Beauty Shop License of Waraku International, Inc.; BAR 2014-20-L.

At 1:49 p.m., the Board reconvened its scheduled meeting.

At 1:50 p.m., it was moved by Ms. Howard, seconded by Ms. McKay, and unanimously carried for the Board to enter into Executive Session to consider and evaluate personal information relating to individuals applying for licensure in accordance with HRS section 92-5(a)(1), and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4).

#### EXECUTIVE SESSION

At 2:23 p.m., it was moved by Ms. Howard, seconded by Mr. Choi, and unanimously carried for the Board to move out of Executive Session.

At 2:24 p.m., Mr. Nelson left the meeting.

#### Applications:

##### A. Ratification of Issued Licenses

It was moved by Ms. Howard, seconded by Ms. McKay, and unanimously carried to ratify the list of issued licenses attached (see, attached list).

##### B. Examination and License

###### (1) BROWN, Donald N. Jr. ( Barber )

After discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to approve the barber application for examination and license of Donald N. Brown Jr.

(2) RANUCCI, Karen A. ( Beauty Operator - Esthetician )

Discussion ensued on Karen A. Ranucci's application for examination and license in accordance with Act 185 (SLH 2013).

Ms. Ranucci's application had been preliminarily reviewed by staff, the Executive Officer, and Ms. Howard (the designated Board member to review the barber/ beauty operator applications via Act 185 for consideration for this Board meeting).

Executive Officer Kai stated that Ms. Ranucci's application had been reviewed following the guidelines in place when an application via Act 185 is received; which includes the review of the applicant's out of State licensure requirements and the state's licensing examination to determine equivalency to Hawaii's requirements and examination, and also proof of being a military spouse (marriage certificate, or similar verification), and the military member's Permanent Change of Station ("PCS") Orders, and any other information or documentation that the applicant may want to submit to be reviewed by the Board in its determination.

Discussion ensued on the applicant's knowledge of the Board's statutes and administrative rules which are tested in the Hawaii licensing examination; the Board and DAG Tam conferred and agreed that out-of-state examinations will never include Hawaii's statutes and rules; thus, an out of state examination will never be "equivalent". This interpretation would lead to an absurd result as no one would ever be able to qualify under Act 185 if he or she took an examination in another state.

After discussion, the Board's consensus was that the applicant's self-attestation of knowledge of the Board's statutes and rules as endorsed on the application may be used to satisfy that requirement. The Board also noted that all other requirements set forth by Act 185 (SLH 2013) had been met by the applicant.

After further discussion, it was moved by Ms. Howard, seconded by Chairperson Marugame, and unanimously carried to approve the beauty operator license

application of Karen A. Ranucci, in accordance with Act 185 (SLH 2013), for a period not to exceed five (5) years in the aggregate.

- (3) TERRELL, Mary Anne ( Beauty Operator - Cosmetologist )

After discussion, it was moved by Ms. Howard, seconded by Ms. Tokunaga, and unanimously carried to approve the beauty operator application for examination and license of Mary Anne Terrell.

- (4) WARNER, Kristi J. ( Beauty Operator - Hairdresser )

After discussion, it was moved by Ms. Howard, seconded by Ms. Tokunaga, and unanimously carried to approve the beauty operator application for examination and license of Kristi J. Warner.

C. Beauty Shop/Barber Shop License

- (1) Advanced Medi-Spa LLC  
(New Beauty Shop)

Executive Officer Kai stated that the Board had denied application # 1 at its May 14, 2014 meeting, and reaffirmed its decision at its November 25, 2014 meeting. In a letter dated February 13, 2015, the Board requested that the applicant, Advanced Medi-Spa LLC and its owner, Ms. Cindy Chang, provide additional clarifying information, specifically the court documents explaining the underlying facts and circumstances relating to the following judgments that have been obtained against her in circuit court (Civil No. 09-1-2752-11), and the court documents and other documentation that reflects the current status of each judgment (e.g., whether they have been satisfied, whether the applicant entered into a payment arrangement for either judgment, whether the applicant made any payments on either judgment, the outstanding balance of each judgment, etc.):

- February 28, 2011 for \$80,079.34;
- January 31, 2012 for \$115,238.02.

Executive Officer Kai reiterated that the Board had received correspondence from Ms. Chang, and that the Board had determined at its February 9, 2015 meeting

that it did not answer the Board's questions and did not provide any court documents relating to the judgments. The Executive Officer stated that on April 8, 2015, a copy of the Board's February 13, 2015 letter was again sent to Ms. Chang pursuant to her request.

After discussion, it was moved by Ms. Howard, seconded by Chairperson Marugame, and unanimously carried to send another letter to Ms. Chang requesting that she address the Board's concerns (as stated in its February 13, 2015 letter), with a submittal deadline date of May 26, 2015, and stating that with or without a response from Ms. Chang, the Board intends to make a decision on the application at its next meeting on June 8, 2015.

- (2) BRADY, Jillian M.  
( New Beauty Shop )
- (3) CARNEY, Ryan J. dba O'Carney's Barber Shoppe  
( New Barber Shop )
- (4) Ellen Nails LLC  
( New Beauty Shop )
- (5) Franke LLC dba Aqua Salon  
( New Beauty Shop )
- (6) JD Wellness LLC dba Jewel Salon and Spa  
( New Beauty Shop )
- (7) JinJin LLC dba Polish Mani Pedi Wax  
( New Beauty Shop )
- (8) KOH, Julia dba Julia's Beauty Shop  
( Relocation of Beauty Shop )
- (9) Luxure Nail Spa & Hair Salon Inc.  
( New Beauty Shop )
- (10) MCCANDLESS, Pomaikai N.  
( New Beauty Shop )
- (11) Mika Salon L.L.C.  
( New Beauty Shop )
- (12) NGUYEN, Tram Ngoc Vuong  
( New Barber Shop )
- (13) Paradissimo Tropical Spa LLC  
( Relocation of Beauty Shop )

- (14) PARK, Hannah J. dba HJP Salon  
( New Beauty Shop )
- (15) ROBINSON, Gary L. dba Cutter's Cave A Hair Studio  
( New Beauty Shop )
- (16) ROBSON, Amy S. dba The Hair Bender Salon  
( New Beauty Shop )
- (17) SARGENT, Rebecca M. dba The Loft Hair Salon  
(New Beauty Shop )
- (18) TYTY LLC dba Bellagio Nails & Day Spa  
( New Beauty Shop )
- (19) YANAGI, Tiare N.T. dba Hale Lapa'au Skin and Body  
( New Beauty Shop )

The remaining eighteen (18) barber shop/beauty shop applications, (# 2 to # 19), were preliminarily reviewed by staff, the Executive Officer, and Ms. Howard (the designated Board member to review the barber shop/beauty shop applications for consideration for this Board meeting).

Ms. Howard stated that she reviewed the eighteen (18) applications, (# 2 to # 19), and concluded that they meet all requirements for barber shop or beauty shop licenses, and recommends approval. After discussion, it was moved by Ms. Howard, seconded by Ms. McKay, and unanimously carried to approve the barber shop/beauty shop applications listed above.

D. Restoration of License

- (1) ALEFAIO, Gwendolyn E. ( BEO 16196 )

After discussion, it was moved by Ms. Howard, seconded by Ms. McKay, and unanimously carried to approve the restoration of beauty operator license of Gwendolyn E. Alefaio.

- (2) CARINO, Chelaine ( BEO 14875 )

After discussion, it was moved by Ms. Howard, seconded by Ms. McKay, and unanimously carried to approve the restoration of beauty operator license of Chelaine Carino.

(3) ELLUL, Brie M. ( BEO 11729 )

After discussion, it was moved by Ms. Howard, seconded by Ms. McKay, and unanimously carried to approve the restoration of beauty operator license of Brie M. Ellul.

(4) LEE, Tom N. ( BEO 12517 )

After discussion, it was moved by Ms. Howard, seconded by Ms. McKay, and unanimously carried to approve the restoration of beauty operator license of Tom N. Lee.

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 2:23 p.m.

Taken and recorded by:

/s/ Lori Nishimura

\_\_\_\_\_  
Lori Nishimura, Secretary

Reviewed and approved by:

/s/ Lauren M. Kai

\_\_\_\_\_  
Lauren M. Kai, Executive Officer

LMK:ln

05/05/15

[ X ] Minutes approved as is.

[ ] Minutes approved with changes. See Minutes of \_\_\_\_\_.

LTYPE	LIC NUM	BP NAME PART 1
BEO	20368	JESSICA J <CHOI<
BEO	20369	KEIKO <ASAO<
BEO	20370	ESTHER H <CHOE<
BEO	20371	JAHN R <HOOVER<
BEO	20372	SHANTEL SEKI <KIM<
BEO	20373	SHEREEN A <LACUESTA<
BEO	20374	KELLY R <LAMPERTH<
BEO	20375	KAYLIN C <LAPORTE<
BEO	20376	SIERRA S <MARTIN<
BEO	20377	ZEENA C <MCINTYRE<
BEO	20378	CARMEN M <MCKEOWN<
BEO	20379	AMBER J <MCLEAN<
BEO	20380	TIONA P <MIYAMOTO<
BEO	20381	SHAIANNE A K <MONIZ-METCALF<
BEO	20382	JOLI E <NAKANELUA<
BEO	20383	DIEP H <NGUYEN<
BEO	20384	PHUONG UYEN-THI <NGUYEN<
BEO	20385	VUONG B <NGUYEN<
BEO	20386	RACHEL S <PASCUAL<
BEO	20387	SUMIRE <PHILBIN<
BEO	20388	YUKO <PREVOST<
BEO	20389	JILL E <STRICK-MAHON<
BEO	20390	MINDEN K K <TAKETA<
BEO	20391	JONATHAN B <TENNYSON<
BEO	20392	MERESSA S <TOCKEY<
BEO	20393	PHUONG T <TRAN<
BEO	20394	SACHIKO <YIM<
BEO	20395	CLA <YOO<
BEO	20396	LIN HONG <VAN<
BEO	20397	JENNIFER D <MAGGAY<
BEO	20398	MICHELLE P <AUSTRIA<
BEO	20399	LISA L <ABELLIRA<

LTYPE	LIC NUM	BP NAME PART 1
BAR	3564	CHANNING A <BASILIO<
BAR	3565	HUNTER J <WILSON<

LTYPE	LIC NUM	BP NAME	PART 1
I	12416	MICHELLE K P	<LEE<