

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 11, 2016

Time: 1:03 p.m.

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

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

Excused: Alexander Choi, Public Member
Angela Howard, Public Member

Guest: Jo Ann M. Uchida Takeuchi, Deputy Director, Department of
Commerce and Consumer Affairs ("DCCA")

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 1:03 p.m. by Chairperson Marugame.

Additions/
Revisions to
Agenda: None.

Minutes of the
March 14, 2016
Board Meeting: After discussion, it was moved by Ms. McKay, seconded by
Mr. Nelson, and unanimously carried to approve the minutes
of the March 14, 2016 Board meeting, as circulated.

At 1:04 p.m., it was moved by Mr. Nelson, 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 1:30 p.m., it was moved by Ms. McKay, seconded by Ms. Tokunaga, and unanimously carried for the Board to move out of Executive Session.

Chairperson Marugame acknowledged the arrival of DAG Tam during the Executive Session.

Applications:

A. Ratification of Issued Licenses

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

B. Beauty Shop/Barber Shop License

- (1) DAYDREAM BEAUTY THERAPY, LLC
(Relocation of Beauty Shop: BSH 4167)
- (2) ESPOIR USA CORPORATION dba ESPOIR
(New Beauty Shop)
- (3) EXCELLENT LLC dba FANTASTIC SAMS HAWAII KAI
(Relocation of Barber Shop: BAS 1441)
- (4) HAIR BY TRISHA LLC (New Beauty Shop)
- (5) JAEDTKE, Molly M. dba ALTER EGO BY MOLLY
(New Beauty Shop)
- (6) LY, Dereck C.
dba HAYDEN NAIL SPA (New Beauty Shop)
- (7) NGUYEN, Hung Huu
dba HH HAIR & NAILS SALON (New Beauty Shop)
- (8) TONY SALON INC. (New Barber Shop)

The barber shop and beauty shop applications above were preliminarily reviewed by staff, the Executive Officer, and Chairperson Marugame (the designated Board member to review the barber shop and beauty shop applications for consideration for this Board meeting). Chairperson Marugame stated that he reviewed the eight (8) applications, and concluded that they meet all requirements for barber shop and beauty shop licenses, and recommends approval.

After discussion, it was moved by Chairperson Marugame, seconded by Mr. Nelson, and unanimously carried to approve the eight (8) barber shop and beauty shop applications listed above.

Legislation and Rules:

- A. Jo Ann M. Uchida Takeuchi, DCCA, Deputy Director – Senate Bill No. 2976, S.D. 2, H.D. 1, Relating to Licensing of Private Trade, Vocational, and Technical School

This agenda item was tabled until Deputy Director Uchida Takeuchi arrived to the meeting.

Examination:

- A. National Interstate Council ("NIC") of State Boards of Cosmetology Licensing Examinations

Mr. Nelson stated he has nothing new to report and that his gathering of updated information on the examination and the exam administration is ongoing.

Executive Officer's Report:

- A. Proposed Industry Bulletin Relating to Skin Care Machines and Devices

Executive Officer Kai provided her draft of the proposed Industry Bulletin relating to skin care machines/devices. The Board was requested to review for further discussion and/or approval at a subsequent meeting. Chairperson Marugame requested DAG Tam to also review the draft.

- B. 2016 NIC Conference

Executive Officer Kai informed the Board of the upcoming NIC annual conference on October 1-3, 2016 in Tampa, Florida. She also stated that the annual Administrator's Meeting begins two days prior on September 29-30, 2016. Board members were encouraged to attend and represent the Board.

C. Parking Pass Reminder

Executive Officer Kai reminded Board members that when using a parking pass to attend a Board meeting, to be sure that the pass is correctly displayed and visible on the vehicle dashboard for parking control staff to see. She also reminded the Board that the Department will not pay for any parking tickets and also that should a Board member receive a parking ticket, they should inform the office as soon as possible.

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 she has no new report, as previously mentioned at previous meetings, the rule revisions relating to the State authorization of licensed beauty schools by the U.S. Department of Education have been completed with an effective date September 26, 2015, and that the notification of the rules revisions have been sent to the USDE, dated October 8, 2015, and a response from Dr. McArdle has not yet been received.

The Board resumed the following agenda item as Deputy Director Uchida Takeuchi arrived to the meeting at 1:40 p.m.

Legislation and
Rules:

A. Jo Ann M. Uchida Takeuchi, DCCA, Deputy Director –
Senate Bill No. 2976, S.D. 2, H.D. 1, Relating to Licensing of
Private Trade, Vocational, and Technical School

Deputy Director Uchida Takeuchi provided a brief summary of Senate Bill No. 2976, S.D. 2, H.D. 1, and commented that the Board is in a “unique position” as it already regulates beauty schools. She provided a handout of vocational schools that the Department of Education (“DOE”) currently licenses and oversees. She commented that should the bill pass, regulation of barber schools may be placed within the DCCA under a stand-alone program, rather than under the jurisdiction of the Board. This may subject barber schools to a huge increase in fees of up to \$19,000 for a license.

She commented that the bill did not have a hearing date, but that anything can happen and there is still a possibility that the bill can still move forward in the legislative process. Further discussion ensued with her suggestion to remove references to the DOE in its administrative rules section 16-73-2 and to omit the word “licensed” in HAR section 16-73-20.5. She further commented that the Board already does a good job of making sure that applicants for a barber license are qualified and that the process is not dependent on verification of DOE licensure of the barber school that provides the training for these barber license applicants. She acknowledged that consumer protection should be the focus of any amendments to the Board’s rules, and that removing all references to the licensure of barber schools may require the stand-alone program to include a bond requirement, as is currently in the DOE program. She stated that her recommendations are part of a pre-emptive initiative because the bill probably will not pass this legislative session.

Ms. Uchida Takeuchi was thanked for attending today’s meeting and left at 2:08 p.m.

DAG Tam commented the Board has three (3) options to consider:

1. Keep the HAR as is; or
2. Delete “by the state department of education” in HAR section 16-73-2 and delete “licensed” in HAR section

- 16-73-20.5 to remove the licensing requirement for barber schools; or
3. Delete all references to the DOE but keep the licensure requirement for a barber school; thereby continuing to require that a barber applicant's training be earned at a barber school that is licensed.

DAG Tam noted that DCCA appears to be in favor of option number two(2).

Open Forum: None

Next Board Meeting: Monday, May 9, 2016
1:00 p.m.
Queen Liliuokalani Conference Room
King Kalakaua Building,
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Announcements: None.

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 2:22 p.m.

Taken and recorded by:

/s/ Lori Nishimura

Lori Nishimura, Secretary

Reviewed and approved by:

/s/ Laureen M. Kai

Laureen M. Kai, Executive Officer

LMK:ln

05/05/16

[X] Minutes approved as is.
[] Minutes approved with changes. See Minutes of _____.

APR 11 2016

LTYPE	LIC NUM	BP NAME PART 1
BEO	20763	TINA M <GLOSSER<
BEO	20764	NICOLE H <KAUWALU<
BEO	20765	JAIMIE C R <SOLIMA<
BEO	20766	ISABELA D <SANTOS<
BEO	20767	KHELSIE P <ANOBA<
BEO	20768	JOSETTE K <VILLARO<
BEO	20769	HALEY N K <QUINATA<
BEO	20770	DANH <TRAN<
BEO	20771	VERONICA M <GELLA<
BEO	20772	KAMUELA-DAWN K <NAPOLEON<
BEO	20773	BRIEANNA G <ABE<
BEO	20774	MARISA <CEDENO<
BEO	20775	EUNJOUNG <CHAN<
BEO	20776	BROOKE E P <CLARK<
BEO	20777	CASSANDRA B <DEMOOR<
BEO	20778	JENNY TONG <DOAN<
BEO	20779	MICHELLE A <EILOLA<
BEO	20780	RACHEL C <GREEN<
BEO	20781	TRISHA A <AMARAL<
BEO	20782	NATHAN M <ALCORAN<
BEO	20783	JANAE L <BOHAC<
BEO	20784	CASSANDRA J <GREENHALGH<
BEO	20785	CHOY MEI <HEW<
BEO	20786	SIERRA E <HUDSON<
BEO	20787	AKIKO <KANZAKI<
BEO	20788	LAUREN K <KAWABATA<
BEO	20789	KUNIKO <KINO<
BEO	20790	JARETH <LUM LUNG<
BEO	20791	JAMES S <LUU<
BEO	20792	KIKUE <MATSUMOTO<
BEO	20793	TANYA G <MILLER<
BEO	20794	MEGYN-LEE K <MILLER<
BEO	20795	NAHYANG <NASON<
BEO	20796	MAIKO <RYOBUCHI<
BEO	20797	LAUREN L <OGINO<
BEO	20798	ANNA N <PHAM<
BEO	20799	MICHAEL D <SANDERS<

APR 11 2016

LTYPE	LIC NUM	BP NAME PART 1
BEO	20800	IVANA <SLAVIK<
BEO	20801	LIEN Y <TRAN<
BEO	20802	MAKIKO <YAMASHITA<
BEO	20803	GINA A <YOSHIKAWA<
BEO	20804	ANNA C <MAIWA<
BEO	20805	KUSUMAL <SCHROEDER<
BEO	20806	ASHLEY I <READ<
BEO	20807	CHARLYS Y K <ISHIKAWA<
BEO	20808	DOMINIQUE K <PALEA<
BEO	20809	JAMIE M <KALAMA<
BEO	20810	CHANEZE P K <AGANOS<
BEO	20811	TRINA <LE<
BEO	20812	STACIE H M A <MENDOZA<
BEO	20813	JADALIE M G <SALVACION<
BEO	20814	ANGELA M <TALAMANTEZ<
BEO	20815	PHUONG KIM <LE<
BEO	20816	HONG THI <NGUYEN<
BEO	20817	MARIA K <NIHOA<
BEO	20818	TERRI L <NAHL<
BEO	20819	ASHLYNN M N <OPULAUOHO<
BEO	20820	HARUKA <MIYASHITA<
BEO	20821	KIM SUE J <PETZOLD<
BEO	20822	KRISTINA XUAN <PHAN<
BEO	20823	MY NHU <PHAN<
BEO	20824	AMY <SATO<
BEO	20825	SIENNA E <SCHUBERT<
BEO	20826	LEILANI T <SMITH<
BEO	20827	TRINA M <SPENCER<
BEO	20828	CATHRYN L <TAKANISHI<
BEO	20829	KATEE J <WHITE<
BEO	20830	PERLA <HERNANDEZ-GONZALEZ<
BEO	20831	SARAH M O H <RORIE<
BEO	20832	MARIE J <TENNYSON<
BEO	20833	MANAMI <HONDA<
BEO	20834	KACEY E <JONES<
BEO	20835	TARA K <RIVERA<
BEO	20836	CHANNEL T <CABILES<
BEO	20837	THANH DOAN <VO<

LTYPE	LIC NUM	BP NAME PART 1
BAR	3635	AARON J <AGUINALDO-FUNE<

LTYPE	LIC NUM	BP NAME PART 1
I	12423	LAUANDA S <KOBATAKE<
I	12424	SHERALYN R K <YOUART<
I	12425	ELYSSA S L <SHIMADA<