

BOARD OF BARBERING AND COSMETOLOGY

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

MINUTES OF MEETING

Date: Thursday, April 13, 2017

Time: 1:05 p.m.

Place: PVL Examination Room
King Kalakaua Building, 3rd Floor
335 Merchant Street, Room 330
Honolulu, Hawaii 96813

Present: Lynnette F. McKay, Cosmetology Member, Chairperson
Alexander Choi, Public Member
Anne Tokunaga, Cosmetology Member
Margaret Williams, Barber Member
Laureen M. Kai, Executive Officer
Lori Nishimura, Secretary

Excused: Chad Nelson, Public Member
Rodney J. Tam, Deputy Attorney General ("DAG")

Guests: Theresa Gilliland, Hawaii State Coalition Against Domestic
Violence ("HSCADV")
Stacey Moniz, Executive Director, HSCADV

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 McKay.

Minutes of the
March 16, 2017
Board Meeting: After discussion, it was moved by Mr. Choi, seconded by
Ms. Tokunaga, and unanimously carried to approve the minutes
of the March 16, 2017 Board meeting, as circulated.

At 1:06 p.m., it was moved by Mr. Choi, seconded by
Ms. Tokunaga, 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 1:32 p.m., it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried for the Board to move out of Executive Session and to immediately recess the meeting.

At 1:34 p.m., the Board reconvened its meeting.

Applications:

A. Ratification of Issued Licenses

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

B. Examination and License

(1) ALOHA BRIDAL STYLE LLC (New Beauty Shop)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried to approve the beauty shop application of ALOHA BRIDAL STYLE LLC.

(2) VAA, Hunnie (Barber)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried to approve the barber application for examination and license of Hunnie Vaa.

C. Beauty Shop/Barber Shop License

(1) BEAUTY LUX SALON LLC (New Beauty Shop)

(2) DDCC LLC dba FANTASTIC SAMS MILILANI (New Beauty Shop)

(3) GOLDEN HAWAII BARBERSHOP LLC dba GOLDEN HAWAII BARBERSHOP (New Barber Shop)

(4) HAWAII MEDICAL SKIN CARE LLC dba HAWAII MEDICAL SKINCARE (New Beauty Shop)

(5) LAU, Michelle W.S. (New Beauty Shop)

- (6) MATSUNAGA, Dorma P. (New Beauty Shop)
- (7) MATSUOKA, Chie dba LA TIARA HONOLULU
(New Beauty Shop)
- (8) MICK, Regina S. (New Beauty Shop)
- (9) NEW LOOK HAIR SALON LLC (New Beauty Shop)
- (10) JAYO AESTHETICS LLC (New Beauty Shop)
- (11) PARADISSIMO TROPICAL SPA LLC
(Relocation of Beauty Shop: BSH 4472)
- (12) POLISH ON THE GO LLC dba HAPA HEAVEN SALON & SPA
(New Beauty Shop)

The barber shop and beauty shop applications above were preliminarily reviewed by licensing branch staff, the Executive Officer, Chairperson McKay, and Ms. Tokunaga (the Board members designated to review the barber shop and beauty shop applications for consideration at this Board meeting).

Chairperson McKay stated that she and Ms. Tokunaga reviewed the twelve (12) applications, and concluded that they met all requirements for barber shop and beauty shop licenses, and recommends approval.

After discussion, it was moved by Chairperson McKay, seconded by Mr. Choi, and unanimously carried to approve the twelve (12) barber shop and beauty shop applications listed above.

D. Reactivation of License

- (1) AHSING, Bethann H. (BEO 14596)

After discussion, it was moved by Chairperson McKay, seconded by Mr. Choi, and unanimously carried to approve the reactivation of the beauty operator's license of Bethann H. Ahsing.

E. Restoration of License

- (1) ANDERSON, Kirsten K. (BEO 10844)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Tokunaga, and unanimously carried to approve the restoration of the beauty operator's license of Kirsten K. Anderson.

- (2) RIVERA, Julie K. n.k.a. RIVERA-COLLAZO, Julie K.
(BEO 117686)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Tokunaga, and unanimously carried to approve the restoration of the beauty operator's license of Julie K. Rivera n.k.a. Julie K. Rivera-Collazo.

- (3) ROMAS, Lori Ann P. n.k.a. ALAPAI, Lori Ann P.
(BEO 13509)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Tokunaga, and unanimously carried to approve the restoration of the beauty operator's license of Lori Ann P. Romas n.k.a. Lori Ann P. Alapai.

The consensus of the Board was to take the following agenda item out of order, in order to alleviate the wait time for guests, Theresa Gilliland and Stacey Moniz, representatives from HSCADV, one of the proponents of the Legislative bills relating to intimate partner violence.

Legislation:

B. Relating to Intimate Partner Violence

- (1) House Bill No. 680, House Draft 2, Senate Draft 1
(2) Senate Bill No. 518, Senate Draft 2

Ms. Gilliland and Ms. Moniz were welcomed by the Board. Ms. Moniz stated that she is the new Executive Director of HSCADV. Ms. Moniz commented that the HSCADV was unaware that the bills had been introduced, and that she believed that the bills were "dead" at this point. She further stated that it was her understanding that the Board may not be in support of the bills; therefore, she is requesting to meet with the Board for an in-depth discussion of all the provisions in the proposals. She acknowledged that it is possible that hearings on these bills may be held during the next Legislative Session as this year is the first year of the biennium. A conflict in her schedule would not allow her to stay longer at today's meeting; therefore, she asked how

best to arrange for a meeting at a later date with the Board on this matter.

Executive Officer Kai stated that the Board testified before the legislature in support of the intent of the bills; however, the Board identified a number of concerns and questions relating to the specific provisions of the bills. Ms. Kai suggested that it may be best for the discussion to be at a scheduled Board meeting, so that the discussion would be public and memorialized in the Board's meeting minutes. Ms. Moniz tentatively agreed to address the Board at its July scheduled meeting. Executive Officer Kai requested that Ms. Moniz email the Board about two weeks prior to the meeting date, should they want to be placed on the meeting agenda.

Ms. Margaret commented that receiving information and prior written testimony from HSCADV prior to the July Board meeting may be helpful in facilitating the discussion.

Ms. Gilliland and Ms. Moniz were thanked for attending today's meeting.

The Board reverted to the original agenda order.

The Board acknowledged and thanked Ms. Williams for attending the numerous legislative hearings and providing testimony on behalf of the Board.

A. Relating to Citations for Violations of HRS chapter 439

Executive Officer Kai reiterated that the three (3) bills propose to authorize the Regulated Industries Complaints Office ("RICO") to issue citations for violations of specific beauty culture laws by licensees and permittees. Those violations are:

1. Failure of a licensee or permittee to display a license or permit in a conspicuous place in place of business or employment;
2. Failure of a beauty shop owner or beauty school to ensure that only appropriately licensed or permitted individuals engage in the practice;
3. Failure of a beauty shop to conspicuously display a sign that reads "PRICE LIST AVAILABLE UPON REQUEST" in capital letters at least $\frac{3}{4}$ inch in size;

4. Failure of a beauty school to identify each instructor-trainee with a name tag;
5. Failure of a beauty school to identify each instructor with a name tag stating "Instructor" and identifying the beauty category;
6. Failure of a beauty school to operate with an instructor-student ratio of 1 instructor for every 25 students, or a minimum of 2 licensed instructors; and
7. Failure of a beauty school to display at least 1 sign stating "School of Beauty Culture – Work done by students under supervision" in print at least 18 inches by 24 inches.

(1) House Bill No. 1081, House Draft 2, Senate Draft 1

Executive Officer Kai reiterated the following brief summary of the legislative history of House Bill No. 1081, House Draft 2, Senate Draft 1, Relating to citations for beauty culture violations:

- House Bill No. 1081 passed as House Draft 1 with the following amendments by the Intrastate Commerce ("IAC") Committee:
 - a) Add "beauty shop" as a place of business or employment that must display a license or permit in a conspicuous place during all hours of operation, thereby correcting an inadvertent drafting error; and
 - b) Insert an effective date of July 1, 2099.
- House Bill No. 1081, House Draft 1 passed as House Draft 2 with the following amendment by the Consumer Protection & Commerce ("CPC") Committee:
 - a) Add language (Section 2) that establishes that a person selling or demonstrating a beauty product or technique must be licensed as a cosmetologist or esthetician, unless the person is not compensated and obtains written consent to provide the service from the person receiving the service.
- House Bill No. 1081, House Draft 2 was passed unamended by the Judiciary ("JUD") Committee, although its Committee Report expressed grave concerns with Section 2 added by the CPC.

- House Bill No. 1081, House Draft 2 crossed over to the Senate and was amended to House Bill No. 1081, House Draft 2, Senate Draft 1 by the Consumer Protection and Health (“CPH”) Committee with the following amendment:
 - a) Delete the contents of the bill and insert the contents of Senate Bill No. 947, Senate Draft 2, a substantially similar measure, with an effective date of July 1, 2017.
- House Bill No. 1081, House Draft 2, Senate Draft 1, was referred to the Judiciary and Labor (“JDL”) Committee and the Ways and Means (“WAM”) Committee. The Committees deferred the bill; thus, the bill is dead for this year.

(2) Senate Bill No. 947, Senate Draft 2, House Draft 1

Executive Officer Kai reiterated the following brief summary of the legislative history of Senate Bill No. 947, Senate Draft 2, House Draft 1, Relating to citations for beauty culture violations:

- Senate Bill No. 947 passed as Senate Draft 1 with the following amendment by the CPH Committee:
 - a) Specify that a beauty shop is a place of business or employment that must display a license or permit in a conspicuous place during all hours of operation, thereby correcting an inadvertent drafting error.
- Senate Bill No. 947, Senate Draft 1 passed as Senate Draft 2 with the following amendments by the WAM Committee:
 - a) Clarify that name tags to be worn by beauty school employees during hours of instruction must state the employee’s full name;
 - b) Clarify that signs displayed in a beauty school’s reception room and workrooms (that state “School of Beauty Culture – Work done by students under supervision”) must be displayed using letters not less than ½ inch high.
- Senate Bill No. 947, Senate Draft 2 crossed over to the House and was amended to Senate Bill No. 947,

Senate Draft 2, House Draft 1 by the IAC Committee with the following amendments:

- a) Make technical, non-substantive amendments;
- b) Insert an effective date of July 1, 2090.

- Senate Bill No. 947, Senate Draft 2, House Draft 1, was transmitted back to the Senate (the originating chamber). Since the two (2) chambers disagree, the bill will be heard by a Conference Committee. As this is an administration bill initiated by RICO, further requirements will be handled by RICO.

(3) House Bill No. 896, House Draft 1

Executive Officer Kai reiterated the following brief summary of the legislative history of House Bill No. 896, House Draft 1, Relating to citations for beauty culture violations:

- House Bill No. 896 passed as House Draft 1 with the following amendments by the IAC Committee:
 - a) Adjust the amount of the fine to not more than \$100 for each violation; and
 - b) Change the effective date to July 1, 2099 to promote further discussion.
- House Bill No. 896, House Draft 1 was referred to the CPC committee; to date, as no hearing has been scheduled, the bill is dead for this year.

B. Relating to Intimate Partner Violence

Executive Officer Kai reiterated a brief summary of the companion bills noted below relating to intimate partner violence. She stated the two (2) bills propose to require individual licensees (barbers, beauty operators and instructors) to undergo training (a one-time awareness education program of either one-hour or three-hour duration, depending on the draft of the bill) that would enable them to be aware of and recognize signs of intimate partner violence shown by their clients, so that if a licensee observes indications that the client is experiencing such violence, the licensee would have been trained and provided with resources to address the problem (e.g., referring the client to the appropriate social services or domestic violence

organizations). Further, the bills propose that all applicants for licensure need to have obtained this training and all licensees must take the training in order to renew their licenses. The bills also propose that any licensee who completes the training shall not be civilly or criminally liable for acting in good faith or failing to act on information concerning potential intimate partner violence obtained during the course of employment.

(1) House Bill No. 680, House Draft 2, Senate Draft 1

Executive Officer Kai reiterated the following brief summary of the legislative history of House Bill No. 680, House Draft 2, Senate Draft 1, Relating to intimate partner violence:

- House Bill No. 680 passed as House Draft 1 with the following amendments by the IAC Committee:
 - a) Remove the one-hour requirement; and
 - b) Appropriate funds for the program in an unspecified amount; and
 - c) Change the effective date to 07/01/2099 to promote further discussion.

- House Bill No. 680, House Draft 1, passed as House Draft 2 with the following amendments by the CPC Committee:
 - a) Refer to the training as a one-time awareness education program;
 - b) Clarify that the requirement applies to individual barbers and beauty operators and to the applicants for a barber or beauty operator license;
 - c) Remove the requirement that a licensee or applicant needs to submit evidence of completion of the program;
 - d) Require the DCCA to adopt materials made available by a selected nonprofit intimate partner violence awareness education program (rather than developing these materials);
 - e) Specify that anyone who assaults or threatens to cause bodily injury to a barber or beauty operator for acting on information obtained during the course of employment to be guilty of a misdemeanor; and

- f) Delete the appropriation for the training.
- House Bill No. 680, House Draft 2, crossed over to the Senate and was amended to House Bill No. 680, House Draft 2, Senate Draft 1, by the CPH Committee with the following amendments:
 - a) Delete the contents of the bill and insert the contents of Senate Bill No. 518, Senate Draft 2; and
 - b) Insert an effective date of July 1, 2017.
- House Bill No. 680, House Draft 2, Senate Draft 1 was referred to the Judiciary and Labor (“JDL”) Committee, and subsequently deferred; thus, the bill is dead for this year.

(2) Senate Bill No. 518, Senate Draft 2

Executive Officer Kai reiterated the following brief summary of the legislative history of Senate Bill No. 518, Senate Draft 2, Relating to intimate partner violence:

- Senate Bill No. 518 passed as Senate Draft 1 with the following amendments by the CPH Committee:
 - a) Specify that licensees will need to complete a one-time, three-hour training program; and
 - b) Clarify that barbers, beauty operators, and instructors are required to complete the training.
- Senate Bill No. 518, Senate Draft 1 passed as Senate Draft 2 with the following amendments by the JDL Committee:
 - a) Require DCCA to develop the training in coordination with a domestic violence intervention program, rather than the HSCADV; and
 - b) Insert an effective date of January 7, 2059 to encourage further discussion.
- Senate Bill No. 518, Senate Draft 2 crossed over to the House and was referred to the IAC and CPC Committees. No hearings were held; thus the bill is dead for this year.

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Open Forum: None.

Next Board Meeting: Due to unexpected conflicts in his schedule, Mr. Choi stated that he was unable to attend the scheduled meetings of May 4, 2017 and July 10, 2017. After discussion, the consensus of the Board was to reschedule the meetings to the following dates in order to attain quorum.

~~Thursday, May 4, 2017~~ → Monday, May 22, 2017
~~Monday, July 10, 2017~~ → Monday, July 17, 2017

Next Board Meeting:

Monday, May 22, 2017
1:00 p.m.
King Kalakaua Building
335 Merchant Street
Honolulu, Hawaii 96813

Announcements: None.

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 2:10 p.m.

Taken and recorded by:

/s/ Lori Nishimura

Lori Nishimura, Secretary

Reviewed and accepted by:

/s/ Lauren M. Kai

Lauren M. Kai, Executive Officer

LMK:ln

04/21/17

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

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| TYPE | LIC NUM | BP NAME PART 1 |
|------|---------|------------------------------------|
| 3EO | 21173 | WEI PING <ZHANG< |
| 3EO | 21174 | KAYOKO G <ARAI< |
| 3EO | 21175 | YUKO I <GOEBEL< |
| 3EO | 21176 | HEATHER P <AGBAYANI< |
| 3EO | 21177 | ANH P <HO< |
| 3EO | 21178 | HAU VAN <PHAN< |
| 3EO | 21179 | KEIKO N <MUKAWA< |
| 3EO | 21180 | KIMBERLIE J <CRAWFORD< |
| 3EO | 21181 | KELLY <NGUYEN< |
| 3EO | 21182 | YOKO A <SHAW< |
| 3EO | 21183 | MARILYN R M <MCCORRISTON< |
| 3EO | 21184 | KATHLEEN B <BATINGAN< |
| 3EO | 21185 | ELIZABETH A R <BLACKOWL-ARMSTRONG< |
| 3EO | 21186 | BEATRIZ Y <YAMAMOTO< |
| 3EO | 21187 | DESIREE JAYNE C <CABILING< |
| 3EO | 21188 | VALERIE J C <CABILING< |
| 3EO | 21189 | AMANDA M <JOSEPHSON< |
| 3EO | 21190 | KALENA P <ANDERSON< |
| 3EO | 21191 | ALEXIS D <ARIAS< |
| 3EO | 21192 | ASHLEY D <AYSON< |
| 3EO | 21193 | <ASWAD< |
| 3EO | 21194 | AUBREY L <BECRAFT< |
| 3EO | 21195 | APRIL L <BULLIS< |
| 3EO | 21196 | JACQUELINE R <COMERO< |
| 3EO | 21197 | TIFFANY S <DABBS< |
| 3EO | 21198 | TRUC T <DAO< |
| 3EO | 21199 | NHI TUYET <DINH< |
| 3EO | 21200 | SHERRI A <DUCHENE< |
| 3EO | 21201 | PHOENIX C <WINTERS< |
| 3EO | 21202 | THUY THI <NGUYEN< |
| 3EO | 21203 | ANGEL <HO< |
| 3EO | 21204 | ARMINDA R <FAULKENBERG< |
| 3EO | 21205 | KIM M <GIOVENNELLA< |
| 3EO | 21206 | COLLEEN M <GOTO< |
| 3EO | 21207 | ERIN E <GREGERSON< |
| 3EO | 21208 | AMANDA J <HAYMAN< |
| 3EO | 21209 | HELEN <HO< |

| TYPE | LIC NUM | BP NAME PART 1 |
|------|---------|----------------------------|
| 3EO | 21210 | LINH LY <HO< |
| 3EO | 21211 | APRIL A <HONNOLD-GEBHARDT< |
| 3EO | 21212 | VANESSA <FOSTER< |
| 3EO | 21213 | NISA RENE <DUARTE< |
| 3EO | 21214 | ANYA E <LIZARES< |
| 3EO | 21215 | YOLANDA P <HUTAFF< |
| 3EO | 21216 | VAN HONG <HUYNH< |
| 3EO | 21217 | KRISTEN L <HYDE< |
| 3EO | 21218 | LYNNE D <I< |
| 3EO | 21219 | TINA M A <KALAIKAI< |
| 3EO | 21220 | KIYOMI <KAGITA< |
| 3EO | 21221 | LISA G Y <KIM< |
| 3EO | 21222 | KREE K <KUMAI< |
| 3EO | 21223 | MIO <KYAN< |
| 3EO | 21224 | LESLIE A <LAITSCH< |
| 3EO | 21225 | LOAN THANH <LAM< |
| 3EO | 21226 | KELLY V X <LE< |
| 3EO | 21227 | TU T C <LE< |
| 3EO | 21228 | MUYAN <LI< |
| 3EO | 21229 | THANH <LY< |
| 3EO | 21230 | ELISE N <MAI< |
| 3EO | 21231 | BEATA N <MAJEWSKA< |
| 3EO | 21232 | SAMANTHA-SHEA K <MIGUEL< |
| 3EO | 21233 | MELIA M <MIZUGUCHI< |
| 3EO | 21234 | JESSICA C <NIEVA< |
| 3EO | 21235 | JENNY <NGUYEN< |
| 3EO | 21236 | PHI MA <NGUYEN< |
| 3EO | 21237 | TRUC T THANH <NGUYEN< |
| 3EO | 21238 | DIEP <ONG< |
| 3EO | 21239 | THUY DUONG <ORDEN< |
| 3EO | 21240 | LEILANI S <PHANTHAVONG< |
| 3EO | 21241 | AMANDA J <RICHARDS< |
| 3EO | 21242 | MIRNA M <PTTINGER< |
| 3EO | 21243 | SARA D <REYES< |
| 3EO | 21244 | MARY <RONNOW< |
| 3EO | 21245 | CHRISTINA J <SCIARAPPA< |
| 3EO | 21246 | MIKI <PECORARO< |

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X

| LTYPE | LIC NUM | BP NAME PART 1 |
|-------|---------|----------------------|
| 3EO | 21247 | ZEDEL S <TACLAY< |
| 3EO | 21248 | EMI <UBUKATA< |
| 3EO | 21249 | KIM VAN D <VUONG< |
| 3EO | 21250 | YASUKO S <WOLFF< |
| 3EO | 21251 | SARAH R <YOURELL< |
| 3EO | 21252 | MIYUKI <ZAHA< |
| 3EO | 21253 | KERRY A <ZALOPANY< |
| 3EO | 21254 | LAUREN P <WILSON< |
| 3EO | 21255 | VICTORIA <MOORHOUSE< |
| 3EO | 21257 | LUYEN MINH <LE< |

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| LTYPE | LIC NUM | BP NAME PART 1 |
|-------|---------|----------------------|
| BAR | 3686 | EUNMI <SON< |
| BAR | 3687 | THERESA N <LAI< |
| BAR | 3688 | JAMESON D <ROMUALDO< |
| BAR | 3689 | JEMERY J K <WILLES< |

| LTYPE | LIC NUM | BP NAME PART 1 |
|-------|---------|--------------------|
| I | 12428 | BENEDICT L <COSTA< |
| I | 12429 | DEBY D <PANED< |
| I | 12430 | LIEREN M <PEARSON< |
| I | 12431 | MARY <RONNOW< |
| I | 12432 | DELIA <TOM< |