

BOARD OF BARBERING AND COSMETOLOGY

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

MINUTES OF MEETING

Date: Tuesday, January 14, 2014

Time: 9:01 a.m.

Place: King Kalakaua Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
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
Rodney J. Tam, Deputy Attorney General ("DAG")
Laureen M. Kai, Executive Officer
Lori Nishimura, Secretary

Guests: Lauren Biddle, Prometric

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 9:01 a.m. by Chairperson Marugame.

Chairperson Marugame suggested that as a courtesy to all meeting participants, Board members raise their hands to receive acknowledgement from the Chairperson before speaking. He added that this would help all Board members to hear all reports and input and be conducive to everyone's full participation. The Board was in consensus with his suggestion.

Executive Officer Kai informed the Board that DAG Tam will be late to this meeting due to a time conflict with another meeting of a board for which he is counsel.

Additions/
Revisions to
Agenda:

Executive Officer Kai requested an amendment to the following agenda item:

4. APPLICATIONS

E. Beauty Shop/Barber Shop License

(4) EXEO USA, INC. dba ROYAL KAILA WEDDING & SPA

After discussion, it was moved by Chairperson Marugame, seconded by Ms. Howard, and unanimously carried to amend the agenda as noted above.

Minutes of the
November 20,
2013 Board
Meeting:

Executive Officer Kai stated that a correction should be made to the first bulleted paragraph on page 9, deletion is bracketed [], and new language is underlined, as follows:

- LEDs are not lasers. The light particles emitted from an LED device are scattered or diffused, which means the light is dispersed in many different [~~directions~~] directions. Laser beams are focused or concentrated;

After discussion, it was moved by Mr. Nelson, seconded by Ms. Howard, and unanimously carried to approve the minutes of the November 20, 2013 Board Meeting as amended.

Executive
Session:

At 9:07 a.m., it was moved by Mr. Nelson, seconded by Mr. Quintana, 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 9:20 a.m., it was moved by Chairperson Marugame, seconded by Ms. Howard, and unanimously carried for the Board to move out of Executive Session.

Applications:

A. Ratification of Issued Licenses

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

B. Beauty School License

(1) La Mer Nail Institute LLC

After discussion, it was moved by Ms. Howard, seconded by Mr. Nelson, and unanimously carried to approve the beauty school application of La Mer Nail Institute LLC, to provide training in the curriculums of Nail Technology and Beauty Instructor.

C. Apprenticeship Registration

- (1) AKIONA, Isaac P. (Barber Apprentice)

After discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to approve the apprenticeship registration application of Isaac P. Akiona.

D. Examination and License

- (1) YEOM, Sunhua (Beauty Operator – Nail Technician)

After discussion, it was moved by Ms. Howard, seconded by Mr. Nelson, and unanimously carried to approve the beauty operator application for examination and license for Sunhua Yeom.

E. Beauty Shop/Barber Shop License

- (1) Beauty By Kat LLC (New Beauty Shop)
- (2) CHAYANID LLC (New Barber Shop)
- (3) Da Kinez Barbership LLC (New Barber Shop)
- (4) EXEO USA, INC. dba ROYAL KAILA WEDDING & SPA
(New Beauty Shop)
- (5) The Hair Hale, LLC (New Beauty Shop)
- (6) Huynh, Muoi Thi dba Pro Nails and Spa LLC
(New Beauty Shop)
- (7) JESE SALON, LLC (New Beauty Shop)
- (8) KABUSHIKIGAISHA PAFMO dba DAY SPA MOE
(New Beauty Shop)
- (9) Le, Gary H. dba G Barber Shop (New Barber Shop)

- (10) Nguyen, Oanh Thi Ngoc dba Brianna Nail
(New Beauty Shop)
- (11) Oestreich, Kimberly Jean dba Aloha Girl Nails
(New Beauty Shop)
- (12) Ricketson, Deborah J. dba Debi's Cuts & Color
(New Beauty Shop)
- (13) Salon R and Spa by Lawrence LLC (New Beauty Shop)
- (14) SPORTS CUT LLC (New Beauty Shop)
- (15) Touch of Kaua'i L.L.C. (New Beauty Shop)
- (16) Tran, Dat Duy dba David's Happy Nails Inc.
(New Beauty Shop)
- (17) Van, Trinh Hong dba Trinh's Barber Shop
(New Barber Shop)

The seventeen (17) applications were preliminarily reviewed by staff, the Executive Officer, and Chairperson Marugame, the designated Board member to review the new beauty shop and barber shop applications for consideration for this Board meeting. Chairperson Marugame stated that the applications meet the new requirements for beauty shop and barber shop licenses, and recommended approval.

After discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to approve barber/ beauty shop applications #1 to #17, as listed above.

F. Restoration of Licenses

- (1) BRECO, Richard W. (BEO-6276)

After discussion, it was moved by Ms. McKay, seconded by Mr. Nelson, and unanimously carried to approve the restoration of the beauty operator's license of Richard W. Breco.

- (2) JOHNSON, Vy Phuong (BEO-14549)

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

restoration of the beauty operator's license of
Vy Phuong Johnson.

(3) YOSHIZAWA, Rick T. (BEO-13353)

After discussion, it was moved by Ms. McKay, seconded
by Mr. Nelson, and unanimously carried to approve the
restoration of the beauty operator's license of
Rick T. Yoshizawa.

Executive
Officer's Report:

A. Update on the Requirements for Beauty Shop and Barber Shop
Licenses - New, Relocations, License Restorations

Executive Officer Kai reiterated that at the Board's last
meeting, several clarifications to the Board's procedures for
beauty shop and barber shop license applications were
suggested. She stated that the incorporation of these
clarifications in the application forms and instructions was still
pending but should be available for the Board's review and
approval at its next meeting.

Executive Officer Kai requested for a volunteer to review the
barber and beauty shop applications which would be presented
for the Board's consideration at its February 10, 2014 meeting.
She reminded the Board that they had agreed to volunteer on a
rotation basis. Mr. Nelson stated that he will volunteer for the
March meeting, as he may not be able to attend the February
meeting. Mr. Choi stated that he may not be available to attend
neither the February nor March meeting due to prior
commitments and travel plans. It was noted that Ms. McKay,
Ms. Howard, and Mr. Marugame had previously volunteered.
After discussion, Ms. Howard volunteered to review the barber
and beauty shop applications which would be presented for the
Board's consideration at its February 10, 2014 meeting. Both
Mr. Nelson and Ms. Howard were thanked for their service.

B. Licensing of Military Spouses Pursuant to Act 185 (SLH 2013)

Executive Officer Kai reiterated that at the last meeting the
Board deferred decision-making on setting up a review
procedure where a Board member reviews the applications
from military spouses and recommends action at a subsequent
Board meeting. Discussion ensued on the review procedure
which include 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 would like to be reviewed by the Board in its determination.

Ms. McKay inquired who set the parameters for the determination of equivalency; the Executive Officer stated that the requirements were the result of discussions between the Professional and Vocational Licensing Division's Licensing Administrator and the Attorney General's Office. Mr. Choi suggested the possibility of requiring a test on the Board's statutes and administrative rules, in addition to the out-of-State licensing examination that had been taken by the military spouse; Ms. Kai mentioned that when queried earlier, Prometric would be able to accommodate such a supplemental examination should the Board agree with his suggestion.

Executive Officer Kai suggested that the Board member tasked with the monthly review of barber and beauty shop applications include the review of application(s) submitted through the licensing requirements of Act 185 (SLH 2013); the Board agreed by consensus vote and Ms. Howard acknowledged that she, being the volunteer for the review for the Board's February 10, 2014 meeting, would also conduct this review.

DAG Tam arrived to the meeting at 9:42 a.m.

C. Honolulu Community College Cosmetology Program Advisory Committee

Executive Officer Kai reported that she had attended the Honolulu Community College ("HCC") Cosmetology Program Advisory Committee meeting on December 2, 2013, as a representative of the Board. Participants included Benedict Palmeri (Images/J & J Beauty Supplies, Inc.); Hanalei Ramirez (Salon 808); Professor Jess Aki, Assistant Professors: Lynnette McKay, Stella Akamine, and Jessica Kaniho from HCC Cosmetology program; and Jim Poole (HCC Tech II Division Chair).

Discussion topics included:

- Compliance Resolution Fee ("CRF"), which committee members believed to be unwarranted and/or excessive

for licensees to pay in addition to license fees. The Executive Officer explained that the CRF is the fee that all licensees are assessed per biennium that has been determined by the Regulated Industries Complaints Office to be the amount required to operate its disciplinary and education program for the effective enforcement of the licensing laws and rules for all forty-eight (48) areas of licensing.

- “Beauty Operator” license designation that is printed on each licensee’s license card, rather than the specific category of the beauty operator license for which the licensee is approved to provide services. Executive Officer Kai explained that the Board was well aware of this complaint throughout the industry and had begun exploration of this initiative; however, the project remains on hold due to problems with outdated license category designations (e.g. cosmetician, manicurist) in the database that cannot be deleted and would appear on the card, which would be erroneous and misleading to the public.
- Beauty Shop/Barber Shop license requirement changes due to the Department of Health no longer issuing sanitation clearances for new shops. The Executive Officer explained the reasons behind the new requirements, clarified the new documents required by the Board and the new procedures where the Board reviews each application for fulfillment of the new and existing requirements and must approve all shop licensure applications. Generally, committee members expressed their approval of these new requirements.
- A “shadowing” program initiative where a beauty school student goes on an “excursion” in a licensed shop to obtain personal experience in working in the industry. Many such “internships” are sponsored by licensed beauty and barber shops in the community.
- The HCC “co-op”, where a student works on one-on-one with an HCC cosmetology instructor for hands-on-experience. The student must pay an additional \$103 fee for this program; but, no additional credit hours would be earned. HCC does not strongly encourage participation due to the increased financial burden for the student.

- Pilot program beginning in Fall 2014 for an early evening hairdresser course, including an online theory component (of Pivot Point). Currently, costs per person are being explored.

Ms. McKay added that the pilot program for evening courses is postponed indefinitely due to budget constraints. Further, a planned esthetics training program is also on hold.

Discussion ensued on the HCC "co-op", as well as the "shadowing" program. Mr. Choi expressed his interest in a shop possibly assisting the program through subsidizing costs.

The Executive Officer stated that the committee's next meeting is scheduled for March 17, 2014. She will provide the Board with a report at the April Board meeting.

D. 4th Annual Hawaii Spa Marketplace and Medical Aesthetics

The Executive Officer reported that this conference had been held on January 5-6, 2014. Sponsored by Spa Management, this conference and exhibition provided presentations, demonstrations, and information booths showcasing beauty, spa, wellness, anti-aging, medical esthetics, and medical tourism targeted to salon owners, managers, estheticians, massage therapists, and physicians. Ms. McKay added that she had attended the conference on the first day and toward the end of the last day, and reported that there seemed to be less attendees and vendors compared to past years. Discussion ensued on the concept of medical tourism that promoted the State as a travel destination to obtain excellent and up-to-date medical and spa treatments.

Examinations: A. Presentation by Prometric

Lauren Biddle was welcomed by the Board Chairperson. She had been scheduled to provide the Board with the review of licensing exam questions at the last meeting, and had been deferred due to lack of time. Board members expressed appreciation to Ms. Biddle for coming to this meeting, again at the Board's request.

Executive Session:

At 10:07 a.m., it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried for the Board to enter into Executive Session 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 11:37 a.m., it was moved by Chairperson Marugame, seconded by Ms. McKay, and unanimously carried for the Board to move out of Executive Session.

B. Barber Examinations Administered in September 2013 and December 2013

In the interest of Board members' schedules, this agenda item was deferred to the next Board meeting.

C. Cosmetology Examinations Administered in October 2013 and December 2013

In the interest of Board members' schedules, this agenda item was deferred to the next Board meeting.

Scope of Practice: A. Use of Light and Heat ("LHE") Devices

In the interest of Board members' schedules, this agenda item was deferred to the next Board meeting.

B. Chemical Peels

In the interest of Board members' schedules, this agenda item was deferred to the next Board meeting.

Hawaii
Administrative
Rules ("HAR"):

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

In the interest of Board members' schedules, this agenda item was deferred to the next Board meeting.

B. Report from the Investigative Committee on Amendments to HAR Chapter 16-78 (Cosmetology)

In the interest of Board members' schedules, this agenda item was deferred to the next Board meeting.

Open Forum: None.

Board of Barbering & Cosmetology
Minutes of the January 14, 2014 Meeting
Page 10

Next Board Meeting: Monday, February 10, 2014
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 11:38 a.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

02/04/14

[X] Minutes approved as is.

[] Minutes approved with changes. See Minutes of _____.

LTYPE	LIC NUM	BP NAME PART 1
BEO	19801	ESTHER C E V <DE JESUS<
BEO	19802	JULIE A <FULGINITI<
BEO	19803	MEGAN E <NEWCAMP<
BEO	19804	JANELLE M U <CALDEIRA<
BEO	19805	JENNIFER L <YEE<
BEO	19806	BLYTHE R <BRATCHER<
BEO	19807	ANSJE R K <TSUKAYAMA<
BEO	19808	BRIAN A <CHAPMAN<
BEO	19810	KEILI A <SATO<
BEO	19811	BRIANNA K <RUBIN<
BEO	19812	JANIE B <PASCUA<
BEO	19813	CAREN L <TERRELL<
BEO	19814	DEREK DUNG HUNG <DUONG<
BEO	19815	CHARLENE <REX-WALLER<
BEO	19816	THUY <CANNOLES-HAN<
BEO	19817	SAYURI <GASPER<
BEO	19818	XUAN THANH <PHAM<
BEO	19819	HEATHER A <JARRETT<
BEO	19820	HEATHER M <OPALENIK<
BEO	19821	JADE P M <ROJAS<
BEO	19822	ALEXANDRA A <HEARN<
BEO	19823	MICHELLE MIKALA H <HIDALGO<
BEO	19824	SARABETH <WITBART<
BEO	19825	AMY E <DAILY<
BEO	19826	MARCY M <SASADA<
BEO	19827	DUNG MINH <LE<
BEO	19828	KE'ALA L <RICHARDS<
BEO	19829	GEFELYN G <QUIBUYEN<
BEO	19830	MEGAN L <MACDOUGALL<
BEO	19831	AUDREY S <NUNEZ<
BEO	19832	LAUREN A <NORTH<
BEO	19833	AMBER D <GANZEL<
BEO	19834	ELSA K <JACKSON<
BEO	19835	ANNIE E <OLIVER<
BEO	19836	KELSY A <SUEN<
BEO	19837	KAZUKO <IWASE<
BEO	19838	BREANA P <FRISCH<
BEO	19839	KIMBERLY L <GIPSON<
BEO	19840	MELISSA K <YAMASHITA<
BEO	19841	LINH J <DANG<
BEO	19842	KAYLA P <BRIONES<
BEO	19843	KEVIN T <MURATA<
BEO	19844	ALYSE M <CARON<
BEO	19845	MALISSA R <SENTES<
BEO	19847	TINA M <SCOTT<
BEO	19848	ALEX T <ZAPATA<
BEO	19849	ANH TUYET NGOC <VU<
BEO	19850	THUY BICH <NGUYEN<
BEO	19851	NATASHA N G <NICOLAS<
BEO	19852	ERIC M <CHAPMAN<
BEO	19853	TONIA E <PATTERSON<
BEO	19854	DANIELLE M <RUSSO<

LTYPE	LIC NUM	BP NAME PART 1
BAR	3473	AILEEN M <AVILLA<
BAR	3474	DUNG THI <MAI<
BAR	3475	RAEDEN <RAMORAN<
BAR	3476	HAU'OLI P <SOLIS<
BAR	3478	THANH <TRAN<
BAR	3479	LIEN MY <TRIEU<
BAR	3480	BRANDI K <HERBERT<
BAR	3481	THIEN PHUC <NGUYEN<
BAR	3482	VANESSA C <PACION<
BAR	3483	JOHNNY M <BROWN<
BAR	3484	TAN SI <LY<
BAR	3485	MICHAEL D <CLARK<
BAR	3486	TRISHA-LEE N <MEADOWS<

LTYPE	LIC NUM	BP NAME PART 1
I	12398	DARRYL K K <YOUNG<
I	12399	DEENA S <CATES<