

**BOARD OF BARBERING AND COSMETOLOGY**

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

MINUTES OF MEETING

Date: Wednesday, July 16, 2014

Time: 9:02 a.m.

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

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

Excused: Alexander Choi, Public Member  
Chad Nelson, Public Member

Guests: Margaret Williams, Hawaii Institute of Hair Design

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 9:02 a.m. by Chairperson Marugame.

Additions/  
Revisions to  
Agenda: None.

Minutes of the  
May 14, 2014  
Board Meeting: After discussion, it was moved by Mr. Quintana, seconded by Chairperson Marugame, and unanimously carried to approve the minutes of the May 14, 2014 Board meeting, as circulated.

Executive  
Session: At 9:03 a.m., it was moved by Ms. McKay, 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), 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 9:24 a.m., it was moved by Ms. Howard, seconded by Ms. McKay, and unanimously carried for the Board to move out of Executive Session.

#### Applications:

##### A. Ratification of Issued Licenses

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

##### B. Beauty School License

###### (1) Pafmo Hawaii Inc dba MOE ACADEMY OF AESTHETICS & MASSAGE

After discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to approve the addition of a 800-hour esthetics program for M-1 Visa foreign students, to the beauty school license of Pafmo Hawaii Inc dba MOE ACADEMY OF AESTHETICS & MASSAGE (BSC-35). The school's two (2) existing and approved esthetics and instructor curricula remain unchanged.

##### C. Examination and License

###### (1) ESTES, Jessica D. ( Esthetician )

After discussion, it was moved by Ms. Howard, seconded by Chairperson Marugame, and unanimously carried to approve the beauty operator application for examination and license of Jessica D. Estes.

###### (2) HONG, Dennis C. ( Cosmetologist )

After discussion, it was moved by Ms. Howard, seconded by Chairperson Marugame, and unanimously carried to

approve the beauty operator application for examination and license of Dennis C. Hong.

- (3) PATTERSON, Treasure A. ( Esthetician )

After discussion, it was moved by Ms. Howard, seconded by Chairperson Marugame, and unanimously carried to approve the beauty operator application for examination and license of Treasure A. Patterson.

- (4) VU, Sharon ( Barber )

After discussion, it was moved by Ms. Howard, seconded by Chairperson Marugame, and unanimously carried to approve the barber application for examination and license of Sharon Vu.

D. Beauty Shop/Barber Shop License

- (1) A&M International, Inc. dba Bloom Massage Therapy  
( New Beauty Shop )
- (2) ANDERSON, Rayshel ( New Beauty Shop )
- (3) ASADA, Jeannett Y. dba Jeannie's Hair Flair  
( Beauty Shop Relocation )
- (4) Beauty Express Salons, Inc.  
( New Beauty Shop – Aiea location )
- (5) Beauty Express Salons, Inc.  
( New Beauty Shop – Ala Moana Center location )
- (6) Beauty Express Salons, Inc.  
( New Beauty Shop – Waialae Avenue location )
- (7) Beauty Express Salons, Inc.  
( New Beauty Shop – Windward Mall location )
- (8) 808 THREADING LLC dba 808 THREADING  
( New Beauty Shop )
- (9) FARIAS, Nadine M. dba Maile's Barbershop  
( Barber Shop – Relocation )

- (10) FLOYD, Robin C. dba Cherie's Beachside Haircuts  
( New Beauty Shop )
- (11) FLYNN, Deborah L. dba Beautiful Skincare  
( New Beauty Shop )
- (12) GARCIA, Kumiko ( New Beauty Shop )
- (13) HAYES, Hideko dba Salon Island Beauty  
( New Beauty Shop )
- (14) Heavenly Nails LLC ( New Beauty Shop )
- (15) Hottie Hair Hawaii ( New Beauty Shop )
- (16) HUSEK, Mari K. ( New Beauty Shop )
- (17) Island Acquisitions Kapalua LLC dba Spa Montage  
( New Beauty Shop )
- (18) KELII, Claire ( New Beauty Shop )
- (19) KHAU, Ann Thy dba Ann's Hairstyling & Barber  
( Beauty Shop Relocation )
- (20) Lashe House LLC ( New Beauty Shop )
- (21) Local Kine Cuts & Styles LLC ( New Beauty Shop )
- (22) NISHIMOTO, Kozue ( New Beauty Shop )
- (23) PATTERSON, Dawn M. dba Dawn's Barber Shop  
( Barber Shop Relocation )
- (24) PEARL NAILS & SALON LLC ( New Beauty Shop )
- (25) POMPEII, Rosemary K. dba Everything's Rosie Boutique &  
Salon ( New Beauty Shop )
- (26) PUU, Crystal S. dba Imagine That Hair Salon  
( New Beauty Shop )
- (27) SORCE, Marie Ann dba Marie's Reflections  
( Beauty Shop Relocation )

(28) Supercuts Corporate Shops, Inc.  
( New Barber Shop – Kahului location )

(29) Tien’s Nails LLC dba Tien’s Nail ( New Beauty Shop )

(30) VO, Tina dba Tracy Nails & Hair ( New Beauty Shop )

The thirty (30) applications were preliminarily reviewed by staff, the Executive Officer, and Ms. McKay, the designated Board member to review the new and relocation beauty shop and barber shop applications for consideration for this Board meeting.

Ms. McKay stated that she reviewed the thirty (30) applications and they meet all 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 the barber/beauty shop applications listed above.

E. Restoration of Licenses

(1) ADLAWAN, Wanda S. ( BEO-13001 )

After discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to approve the restoration of the beauty operator’s license of Wanda S. Adlawan.

(2) DREISCH, Jennifer S. ( BEO-16731 )

After discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to approve the restoration of the beauty operator’s license of Jennifer S. Dreisch.

(3) JOHNSON, Khatalina C. ( BEO-14726 )

After discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to approve the restoration of the beauty operator’s license of Khatalina C. Johnson.

(4) MARX, Kristen W. ( BEO-16531 )

After discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to approve the restoration of the beauty operator's license of Kristen W. Marx.

(5) WONG, Cindy S. ( BEO-12713 )

After discussion, it was moved by Ms. McKay, seconded by Ms. Howard, and unanimously carried to approve the restoration of the beauty operator's license of Cindy S. Wong.

Executive  
Officer's Report:

A. Update on Board's Response to U.S. Department of Education, Relating to State Authorization, under Title IV of the Higher Education Act of 1965 (as amended)

Executive Officer Kai announced that the July 1, 2014 deadline for compliance with state authorization had been very recently extended to July 1, 2015. She then reiterated that the Board sent a letter dated August 14, 2013 to the U.S. Department of Education ("US DE") relating to the State authorization of licensed beauty schools, and subsequently received an email dated February 5, 2014 from Dr. Sophia McArdle of the US DE, Office of Postsecondary Education, Policy, Planning, and Innovation, stating that based on the Board's letter, US DE does "not agree that Hawaii's approval process under the Board of Barbering and Cosmetology of the State Department of Commerce and Consumer Affairs is compliant with the State authorization regulations".

Executive Officer Kai provided an update to the Board. She reported that feedback from a conference call with Joannie Rossiter from Paul Mitchell The School LLC, also Government Relations Committee State Liaison for the American Association of Cosmetology Schools ("AACS"), and representatives of AACS had been received and incorporated in the Board's latest response, which addresses the US DE's stated concerns that the Board's response did not (1) sufficiently demonstrate that Hawaii's laws and rules differentiate between the approvals provided to secondary and postsecondary institutions (i.e., the public would not be able to distinguish between cosmetology institutions offering secondary vs. postsecondary education); and (2) sufficiently

explain the complaint process and how a student would access the process.

The Executive Officer further explained that the Board's latest draft response includes: (1) draft rule revisions that clarify that Hawaii-licensed beauty schools are postsecondary schools that enroll only students with the completion of a high school education or equivalent; (2) a detailed explanation of the complaints process involving the Regulated Industries Complaints Office ("RICO"), stressing the procedures that a cosmetology school student would follow to file complaints against the cosmetology school.

Executive Officer Kai stated that the Board's latest draft response had been pending review and comment from AACCS representatives; however, due to delays in this process, Ms. Rossiter advised her to finalize the letter and submit it to the US DE before the extended deadline date of July 1, 2015, and if AACCS has further comment(s), the Board could consider them at a subsequent meeting. Ms. Kai further noted that she and Ms. Rossiter agreed that sending the latest response would demonstrate the Board's continued cooperation and responsiveness.

B. Board/Commission Orientation for Board Members Appointed in 2013 and 2014

Executive Officer Kai informed the Board that the Board member orientation presented by the Department of Commerce and Consumer Affairs is scheduled to take place on December 5, 2014 at the State Capitol; and to let her know if any Board member is interested in attending the orientation. Ms. Kai commented that the orientation is targeted for new 2013 and 2014 appointees – but may be open to all Board members who are interested; Chairperson Marugame commented that it was an informative session when he attended a previous orientation.

C. Requirement to File Annual Financial Disclosure Statements

Executive Officer Kai informed the Board that the requirement to file annual financial disclosure statements with the Ethics Commission is mandatory but that their disclosures are not public records; she mentioned the StarAdvertiser article, dated June 20, 2014, which reported that the State is suing a

member of the Elevator Mechanics Licensing Board to recover \$1,940 in fines after the board member failed to file two (2) years of financial disclosure statements.

Examinations: A. Cosmetology Examinations Administered from May 7, 2014 to May 16, 2014

Executive Officer Kai provided the following results of the cosmetology examinations administered from May 7, 2014 to May 16, 2014:

Total Exams Scheduled	319	
Total Exams Administered	303	
Total Exams Passed	116	(39% pass rate)
Total Exams Failed	187	(61% failure rate)

A. Barber Examinations Administered from June 3, 2014 to June 6, 2014

Executive Officer Kai provided the following results of the barber examinations administered from June 3, 2014 to June 6, 2014:

Total Exams Administered	48	
Exams Passed 1 <sup>st</sup> Time	17	(35% pass rate)
Total Exams Passed	22	(45% pass rate)
Total Exams Failed	26	(55% failure rate)

13 candidates used interpreters:  
8 passed (5 passed 1<sup>st</sup> time);  
5 failed.

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

Discussion ensued on the use of devices that use light and heat energy ("LHE") versus laser; it was noted that a laser is a device that emits light that is focused to a specific spot, while LHE is provided by devices that utilize diffused light and heat. Board members reaffirmed the Board's prohibition of the use of laser equipment or the provision of laser services. Board members discussed esthetic equipment called "Radiancy FSC (Facial Skin Care Device)" that is made for esthetician use.

Discussion also included the use of LED (light-emitting diode) light which is allowed as long as it is not medical grade. The



Board noted that it had approved the use of esthetician-grade LED devices at its previous meeting

B. Chemical Peels

Discussion ensued on the practice of chemical peels, specifically peels that utilize glycolic and salicylic acids. Ms. Howard commented that these products are manufactured and classified for esthetic use. The practice is widespread and will continue to be provided because the products are readily available to salons, licensees, and even the public. Executive Officer Kai inquired with the Board if they would want to include this type of specific practice in the administrative rules, relying on the manufacturer to classify the product or practice as esthetics grade. That would allow the licensee to confirm that a specific service would fall within the license scope of practice. DAG Tam commented that it would be difficult to determine whether a specific product or service would be allowed because the concentration or intensity of the product or service is unknown.

Discussion ensued on the increasing number of "medi-spas", which provide skincare products and services. Although some of these products and services are clearly within the scope of practice of a licensed esthetician or cosmetologist, there are others that must be provided by a licensed physician. Executive Officer Kai commented that there may be services and products that fall within a "grey" area where either or both the statutes and rules of the Board of Medical Examiners and this Board may apply or overlap. Ms. Kai suggested that the Executive Officer and/or a member of the Board of Medical Examiners be invited to the Board's next meeting to discuss this issue.

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 reiterated that their work is nearly complete, and that they are awaiting the completion of the cosmetology rule revisions as it may impact their work.

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

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

Open Forum: None.

Next Board Meeting: Monday, August 11, 2014  
1:00 p.m.  
Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Announcements: None.

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 10:45 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

08/05/14

[ X ] Minutes approved as is.

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

LTYPE	LIC NUM	BP NAME PART 1
BEO	20047	DIANA P <DEAN<
BEO	20048	STASEE A <BAILEY<
BEO	20049	TOMMIE-ANN K <ROGERS-FA'ASA<
BEO	20050	SARAH L <DIIENNO<
BEO	20051	PADEN U M <IWASAKI<
BEO	20052	MELVEEN L <NACNAC<
BEO	20053	ALICIA M <CAMACHO<
BEO	20054	DALILA L <STUCK<
BEO	20055	CALLIE J <DECROW<
BEO	20056	SILVIA T <BRESSON<
BEO	20057	ASHLEY N <GEE<
BEO	20058	NICHOLE M <THEISS<
BEO	20059	KATHERINE <RAMIREZ<
BEO	20060	DARIYA D S <DOCUS<
BEO	20061	RENEE S <HOLLISON BETAMOUR<
BEO	20062	BRANDI K <DELEON<
BEO	20063	BARBARA A A <BRIGGS<
BEO	20064	JILL T <FUJIWARA<
BEO	20065	ARLENE KRIS <KIM-KAWAMOTO<
BEO	20066	CAROLE F <HOLMES<
BEO	20067	DAWN S <ALLEN<
BEO	20068	MARISSA S <PHELPS<
BEO	20069	THUY-DUNG D <HUYNH<
BEO	20070	MOLLY M <JAEDTKE<
BEO	20071	CATHY PHUONG <DANG<
BEO	20072	MARTIN <BENEDEK<
BEO	20073	DORI L <COSTA<
BEO	20074	CHARLOTTE <DAMMANN<
BEO	20075	SAYURI <TSUCHITANI<
BEO	20076	KAREN J <RUBIO<
BEO	20077	CHIHARU <SUGAHARA<
BEO	20078	TINA M <GREEN<
BEO	20079	ERIEL <VALERA<
BEO	20080	AARON F <PRYER<
BEO	20081	HIEU THI <PHAN<
BEO	20082	ELIZABETH K <HOPEAU<
BEO	20083	UYEN NHU T <NGUYEN<
BEO	20084	HANG THI <TRAN<
BEO	20085	LANDACE K <MCBRAYER<
BEO	20086	TSUKASA <JOHNSON<
BEO	20087	LILY <NGUYEN<

LTYPE	LIC NUM	BP NAME PART 1
BEO	20088	JENNIFER S <KIM<
BEO	20089	DESIREE <ROLIRAD<
BEO	20090	THU HUONG <VO<
BEO	20091	BRITNEY <DITTO<
BEO	20092	ASAMI <OPPATA<
BEO	20093	TINA HIEN <TRAN<
BEO	20094	LOTOMATA S <UALE<
BEO	20095	BREANN W <KAPELIELA<
BEO	20096	STEPHANIE D <ONDERDONK<
BEO	20097	JYOTI <MAHARJAN<
BEO	20098	AZUKI F S <POPA<
BEO	20099	RHONA L <MELTON<
BEO	20100	TRAM BICH <LE<
BEO	20101	LOGAN K <GARCIA<
BEO	20102	CRYSTINA M K <LEE<
BEO	20103	KIM THIANH <NGUYEN<
BEO	20104	ANGELA L N <INAMINE<
BEO	20105	PETRA <KLEINERT<
BEO	20106	RAELYN M <FERNANDEZ<
BEO	20107	VAN BACH <HO<
BEO	20108	PAULA T <DETTY<
BEO	20109	MARIA E <DALINOC<
BEO	20110	LISA M <WILSON<
BEO	20111	LILIBETH M <LAT<
BEO	20112	CHUONG N <ORTEGA<
BEO	20113	TRINH <PHAM<
BEO	20114	AMBER M <CRESS<
BEO	20115	PATSY E <JENNEJOHN<
BEO	20116	STEEVE C P <YOSHIKUMI<
BEO	20117	DARDENELLAS K M <ALAIMO<
BEO	20118	TOMOKO T <CHUN<
BEO	20119	HILARIE E <ADAMS<
BEO	20120	STEPHANIE N <PFLERGER<
BEO	20121	YUKARI <OGAYA<
BEO	20122	CHANDRAKA D <FISHER<
BEO	20123	SANAE H <MIRANDA<
BEO	20124	THERESA L <TERPSTRA<
BEO	20125	KEVIN-KALEI M <UMOTO<
BEO	20126	JASMINE N <ADDISON<
BEO	20127	MOHINI M <HINES<
BEO	20128	JESSICA L <WALLACE<
BEO	20129	MELANIE <ROSE<
BEO	20130	PATRICIA Y <COATS<
BEO	20131	MARY B <TRAN<
BEO	20132	STAYCIE T P <SOUZA<
BEO	20133	APRIL L <LEVENTHAL<
BEO	20134	DANIELLE J <COLE-WALLACE<
BEO	20135	LAURA P <FRAZEE<
BEO	20136	JOSEPH P <WILLIAMS<
BEO	20137	AMY S <ROBSON<
BEO	20138	MACY E <SMIT<
BEO	20139	MAHINA P <GARDENER<
BEO	20140	TARYN K <MATSUMURA-BARDAGO<

LTYPE	LIC NUM	BP NAME PART 1
BAR	3516	BICH THU THI <PHAM<
BAR	3517	GIANA P <SANTANA<

LTYPE	LIC NUM	BP NAME PART 1
BAR	3518	SIWATHEP <SUNAPO<
BAR	3519	JAMES <WINTERS< JR
BAR	3520	DAMASCUS Y <ROSS<
BAR	3521	SA THI LAN <TRAN<
BAR	3522	CHUN HONG <WANG<

LTYPE	LIC NUM	BP NAME PART 1
I	12404	ANNEMARIE <GAYLORD<
I	12405	MAHINA S U <HONG<
I	12406	WINDY L <KIRIFI<