

**BOARD OF BARBERING AND COSMETOLOGY**

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

MINUTES OF MEETING

Date: Monday, August 18, 2014

Time: 1:05 p.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  
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

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

Guests: Carol Kramer, Executive Officer

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.

Additions/  
Revisions to  
Agenda: None.

Minutes of the  
July 16, 2014  
Board Meeting: After discussion, it was moved by Ms. McKay, seconded by Mr. Nelson, and unanimously carried to approve the minutes of the July 16, 2014 Board meeting, as circulated.

Executive  
Session: At 1:06 p.m., it was moved by Ms. McKay, seconded by Mr. Nelson, 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 1:09 p.m., it was moved by Ms. McKay, seconded by Mr. Nelson, 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. Nelson, and unanimously carried to ratify the list of issued licenses attached (see, attached list).

##### B. Beauty Shop/Barber Shop License

- (1) ANAPA, L.L.C. dba NA PUA NAILS  
( Beauty Shop Relocation )
- (2) Beauty Express Salons, Inc.  
( New Beauty Shop – Hilo Macy's location )
- (3) Beauty Express Salons, Inc.  
( New Beauty Shop – Lihue Macy's location )
- (4) CHAR, Kammie ( New Beauty Shop )
- (5) From The Root LLC ( New Beauty Shop )
- (6) HARAJUKU Limited Liability Company dba Harajuku Nail Lounge ( New Beauty Shop )
- (7) Moonbow Salon LLC ( New Beauty Shop )
- (8) NOBLE, Laura E. dba HAVEN AESTHETICS  
( New Beauty Shop )
- (9) Ohana Clips Limited Liability Company  
( New Beauty Shop )
- (10) THACH, To Dung Hoang ( New Beauty Shop )
- (11) TRAN, Dung T. dba ALOHA NAIL STUDIO  
( New Beauty Shop )

The eleven (11) applications were preliminarily reviewed by staff, the Executive Officer, and Ms. McKay, the designated Board member to review the new and relocation beauty shop applications for consideration for this Board meeting.

Ms. McKay stated that she reviewed the eleven (11) applications and they meet all requirements for beauty shop licenses and recommended approval. After discussion, it was moved by Ms. McKay, seconded by Mr. Nelson, and unanimously carried to approve the beauty shop applications listed above.

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 provided an update to the Board. She reported that subsequent to the Board's last meeting, the Board's response was sent to Dr. Sophia McArdle of the United States Department of Education ("US DE"). The Board's response addressed the two (2) issues that were brought up in Dr. McArdle's February 5, 2014 email that stated that the Board's August 14, 2013 response letter 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 informed the Board that in addition to more fully explaining the complaints process against cosmetology or beauty schools and the Board's active role in approving and licensing these schools, the Board's response included draft revisions to the cosmetology administrative rules which clarified that the beauty schools licensed by the Board provided training as a postsecondary school – education beyond the education equivalent to the completion of high school or grade 12. These draft rules have been provided to the Investigative Committee on Amendments to HAR chapter 16-78. The Board has not received a response from US DE.

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

B. Chemical Peels

Executive Officer Kai announced that the Executive Officer for the Board of Medical Examiners ("BME") may be able to attend the October meeting to discuss the issue of services and products that fall within a "grey" area where either or both the statutes and rules of the BME and this Board may apply or overlap, especially at medi-spas and similar establishments.

Ms. McKay suggested the Board defer decision making on these scope of practice inquiries until the Board meets with the BME Executive Officer and more research can be done and information obtained. After discussion, it was moved by Ms. McKay, seconded by Mr. Nelson, and unanimously carried to defer decision making on the scope of practice of the use of LHE devices and chemical peels.

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 they will meet after this meeting.

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

Committee member Ms. McKay reported that its work is ongoing and provided a brief report on the possible revisions to the following rule provisions:

- Use of gloves in esthetics services;
- Scope of practice for a hairdresser or cosmetologist to include braiding, weaving, and hair extensions;
- Display of licenses – wall certificates and pocket ID cards;
- Deadline for the submittal of applications to register to take the written examination;
- The requirement of a minimum of twenty (20) working hours per week for beauty apprenticeships.

Discussion ensued on the possibility of reducing the processing time that the Board's testing service Prometric requires, which is currently seven (7) weeks prior to the test date. Also discussed was the frequency of the administration of beauty operator licensing examinations.

After discussion, it was moved by Chairperson Marugame, seconded by Ms. McKay, and unanimously carried for the

Executive Officer to contact Prometric to inquire about the possibility of reducing its processing time from seven (7) weeks to four (4) weeks, and the feasibility of adding a fourth test administration in the year for the beauty operator licensing exams.

Open Forum: None.

Next Board Meeting: Wednesday, September 10, 2014  
9:00 a.m.  
King Kalakaua Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813

Announcements: Executive Officer Kai reiterated that the BME executive officer and possibly a BME member may be attending the Board's October meeting.

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 1:32 p.m.

Taken and recorded by:

/s/ Lori Nishimura

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Lori Nishimura, Secretary

Reviewed and approved by:

/s/ Laureen M. Kai

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Laureen M. Kai, Executive Officer

LMK:ln

09/04/14

Minutes approved as is.

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

LTYPE	LIC NUM	BP NAME PART 1
BEO	20141	SAYURI <MATSUMURA<
BEO	20142	ASHA K A <CLARK<
BEO	20143	CHRISTINA N S <MARTINEZ<
BEO	20144	MERRINETTE P <PACHECO<
BEO	20145	NGOC TRAN THI <TRAN<
BEO	20146	KIMIE <YAMASHITA<
BEO	20147	HANA <HANSON<
BEO	20148	DAWN <CROWLEY<
BEO	20149	YUKO <KIMURA<

LTYPE	LIC NUM	BP NAME PART 1
BAR	3523	AUKAI R <KIM<
BAR	3524	GARY H <LE<
BAR	3525	BRANDIE N <LAUREANO<

LTYPE	LIC NUM	BP NAME	PART 1
I	12407	ETSUYO I	<SOLD>