

## **BOARD OF BARBERING AND COSMETOLOGY**

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

### MINUTES OF MEETING

- Date: Monday, March 25, 2019
- Time: 12:00 p.m.
- Place: Queen Liliuokalani Conference Room  
King Kalakaua Building  
335 Merchant Street, 1<sup>st</sup> Floor  
Honolulu, Hawaii 96813
- Present: Lynnette F. McKay, Cosmetology Member, Chairperson  
Chad Nelson, Public Member  
Amanda Severson, Cosmetology Member  
Margaret Williams, Barber Member  
Valerie Kato, Deputy Attorney General (“DAG”)  
Kedin C. Kleinhans, Executive Officer  
Jessica Mullin, Secretary
- Excused: Alexander Choi, Public Member
- Guest: Rick Hoo, Beauty Industry
- 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 12:00 p.m. by Chairperson McKay.
- Minutes of the February 25, 2019 Board Meeting: Board members discussed the following paragraph:
- “A. Licensing Examination of the National-Interstate Council of State Boards of Cosmetology (“NIC”)
- Executive Officer Kleinhans reported that he intends to contact Prometric to see if they can comply with biweekly, electronic testing and practical tests.”

Ms. Williams clarified that the Board did not want to implement practical examinations. Executive Officer Kleinhans stated he will relay that information to Prometric.

After discussion, it was moved by Ms. Williams, seconded by Ms. Severson, and unanimously carried to approve the February 25, 2019 meeting minutes.

Applications:

At 12:05 p.m., it was moved by Chairperson McKay, seconded by Ms. Severson, 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 12:09 p.m., it was moved by Chairperson McKay, seconded by Ms. Severson, and unanimously carried for the Board to move out of Executive Session.

A. Ratification of Issued Licenses

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

B. Application for Exam & License

- (1) Jaimie M. Kaio (Beauty Operator)
- (2) Justin P. Souvana (Barber)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Severson, and unanimously carried to approve the two aforementioned barber/beauty operator applicants to sit for the State examination.

C. Application for Restoration – Barber

- (1) Annie N. Ca (BAR-2902)

After discussion, it was moved by Chairperson McKay, seconded by Ms. Severson, and unanimously carried to approve the aforementioned barber restoration application.

Executive  
Officer's  
Report:

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

Executive Officer Kleinhans reported that Prometric has acquired Schroeder Measurement Technologies, Inc (SMT) and DL Roope Administrations, Inc (DLRA). He explained that SMT contracts with various cosmetology industries and DLRA is the leader in the administration of NIC State Board licensure. He stated that Prometric will still be the testing agency with the added technologies of SMT and can administer the NIC via DLRA.

The Board requested an electronic-only exam. Executive Officer Kleinhans intends to meet with Prometric and SMT in early April to discuss the implementation of the NIC exam and he stated that he will confirm with them whether they can administer an electronic-only exam.

Legislation:

A. Senate Bill No. 7 – Relating to Cosmetology

*This measure requires the Board to offer, upon request, the cosmetology examination to applicants in Chinese, French, Hawaiian, Japanese, Korean, and Vietnamese.*

Executive Officer Kleinhans stated that this bill did not cross over to the House and is effectively dead for the year.

B. Senate Bill No. 202 – Relating to Professional and Vocational Regulatory Programs

*This measure establishes repeal dates for all professional and vocational regulatory programs under the Professional and Vocational Licensing Division and requires the State Auditor to perform an evaluation of each program prior to repeal.*

Executive Officer Kleinhans stated that this bill did not cross over to the House and is effectively dead for the year.

C. Senate Bill No. 1045 – Relating to Intimate Partner Violence

*This measure requires barber, beauty operator, and instructor licensees under the Board to complete a one-time, one-hour training program on intimate partner violence awareness and education.*

Executive Officer Kleinhans stated that this bill did not cross over to the House and is effectively dead for the year.

Hawaii  
Administrative  
Rules (HAR):

A. Amendments to HAR Chapters 73 (Barbers) and 78 (Cosmetology)

Executive Officer Kleinhans informed the Board they will be reviewing drafts of the rules during the next several meetings.

Chairperson McKay noted the difference of remedial training between the two chapters. Ms. Williams responded that barber remedial training may be in statute.

DAG Kato confirmed barber remedial training in statute. HRS section 438-7(e) states:

“Any barber applicant who has not obtained licensure after four consecutive examinations offered by the board shall be required to apply and train as an apprentice barber for six months before qualifying for another series of examinations.”

Correspondence: A. Can a licensed esthetician perform “dermaplaning”?

The Board discussed dermaplaning, its use of a scalpel to shave off dead skin cells, the Board’s policy which prohibits the use of lancets and whether that applies to dermaplaning, since the scalpel does not have a straight edge. The Board deferred further discussion about this topic to the next meeting.

Open Forum:

Mr. Hoo informed the Board that he once served as its Chairperson, and during his tenure as the Chairperson, the Board determined that “dermaplaning” was similar to electrolysis, and therefore does not fall under the Barbering and Cosmetology scope of practice.

Mr. Hoo also informed the Board that during his tenure as its Chairperson, the Board voted to stop giving practical examinations.

Mr. Hoo expressed concerns about issues of chair rentals in salons, referencing a California shop that was fined \$1.2 million and as a result, has become a case study for misclassification of employees for chair renting. He also reported of a current bill in the Texas Legislature which seeks to abolish the regulation of barbering and cosmetology in the state.

Next Board Meeting: Monday, April 22, 2019  
12:00 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 12:36 p.m.

Taken and recorded by:

/s/Jessica T. Mullin

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Jessica T. Mullin, Secretary

Reviewed and accepted by:

/s/Kedin C. Kleinhans

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Kedin C. Kleinhans, Executive Officer

KCK:jtm

04/04/19

[ x ] Minutes approved as is.  
[ ] Minutes approved with changes. See Minutes of \_\_\_\_\_.