

**BOARD OF BARBERING AND COSMETOLOGY**

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

MINUTES OF MEETING

Date: Monday, October 28, 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  
Leanne Abe, Secretary

Excused: None.

Guest: Barbara M. Kokubun, BK’s Barber Shop  
Richard Yeo, Honolulu MedSpa  
Jacquie Vo  
Mary Ronnow, Owner/Founder, The Skin Institute Internationale  
Sierra Mead, The Skin Institute Internationale  
Lieren Pearson, The Skin Institute Internationale  
Keala Chock, Honolulu Community College  
John Vierra, Honolulu Community College  
Elise Trapp, Owner, Sugah Mama Beauty  
Xavia Lindsey

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 12:10 p.m. by Chairperson McKay.

Minutes of the Chairperson McKay requested for an amendment on page 9, last

September 23,  
2019 Board  
Meeting:

paragraph:

“Executive Officer Kleinhans briefly went over the amendments to the Beauty Training **Apprenticeship** Curriculum.”  
It was moved by Chairperson McKay, seconded by Ms. Severson, and unanimously carried to approve the minutes of the September 23, 2019 meeting, with the aforementioned amendments (with new material underscored in bold).

The Board agreed by consensus to take the following agenda items out of order to accommodate guests.

Scope of  
Practice:

A. Industry Bulletin regarding Invasive Procedures

The Board reviewed the draft industry bulletin with updated recommended changes from the last meeting. Executive Officer Kleinhans briefly stated the following changes to the bulletin:

- o Removed “practice of medicine” to simply state, “The following services may be considered invasive or not within the scope of practice for this Board’s licensees:”
- o Added hyaluronic pen, microneedling, fibroblast to the list of services that may be considered invasive.

Executive Officer Kleinhans stated the Board deferred adding dermaplaning and dermarolling to the list of services that may be considered invasive at the last meeting for further discussion.

Discussion ensued amongst the Board and the public guests regarding dermaplaning and dermarolling.

Ms. Ronnow stated that the public has access to purchase dermaplaning tools at certain retailers. She compared the quality of a professional grade blade versus a poor-quality blade that can be purchased by the public at certain retailers. She emphasized that a licensed esthetician who is properly trained and certified to perform dermaplaning will not cut their client’s skin. She described dermaplaning as non-invasive, barely taking off the vellus hair and the top layer of the stratum corneum. She feels that dermaplaning is much less traumatic to the skin than microdermabrasion. Hawaii should stay up to date on new developing services that are coming out.

Ms. Mead commented on the dermapen (similar to microneedling) and how it is under the scope of practice of a tattoo artist. She expressed her concern that a tattoo artist may not be properly trained in dealing with all aspects of the skin as an esthetician.

Ms. Ronnow and Ms. Mead both emphasized the importance of proper training and sanitation practices to certify estheticians to perform dermaplaning and other services.

Executive Officer Kleinhans commented that the law only establishes certain license types. If dermaplaning were to fall under these license types, anyone that is licensed would be able to perform this service at any time. Aside from the current educational requirements, the current statutory language of the law does not require a specific training certificate to obtain a license or to perform a service. He stated that the Board's primary job is consumer protection and the rules the Board is currently working on may have language to prohibit certain services that may be considered invasive.

Ms. Mead questioned the difference between prohibiting dermaplaning versus allowing waxing when both have a potential to draw blood if done improperly.

Chairperson McKay replied that waxing is part of the beauty school curriculum, while dermaplaning is not.

Ms. Severson commented that the industry is changing and agreed that the Board should change with the industry.

Ms. Mead stated that the industry is becoming more advanced. The public is demanding more than just a facial, and is making the profession of an esthetician obsolete.

Mr. Nelson suggested looking at other states and what they allow within the scope of practice of their licensees.

Ms. Ronnow stated that Utah has a master esthetician program that requires an additional 600 hours (1,200 hours total) than a regular esthetician. It is a separate master esthetician license examination through NIC. A master esthetician is able to provide more services than a regular esthetician. Executive

Officer Kleinhans responded that this change would most likely require a change in the statute to create a new license type.

Mr. Yeo commented that the industry wants to see skilled and trained estheticians and a higher level of education available.

Ms. Trapp shared that there is a need and importance of proper education and training services in Hawaii.

Ms. Lindsey shared her experience with microneedling and hopes the Board will consider not prohibiting it from the scope of practice of an esthetician.

The Board unanimously agreed to defer decision-making for further research and public testimonies.

#### B. Further Discussion on Eyelash Extensions

Chairperson McKay and Ms. Williams brought up an issue regarding unlicensed beauty schools, shops or instructors teaching eyelash extensions to unlicensed individuals. Ms. Williams inquired with Executive Officer Kleinhans regarding this particular issue and if it should be reported to DCCA (Department of Commerce and Consumer Affairs). Executive Officer Kleinhans replied that a complaint should be forwarded to RICO (Regulated Industries Complaints Office) to investigate a complaint based on the boards' laws and rules.

Executive Officer Kleinhans suggested that the Board may issue a consumer notice on the DCCA website to educate the general public. The consumer notice would state that classes for eyelash extensions must be done by licensed schools/instructors and training has to be done while registered as an apprentice or student at a beauty school.

Ms. Pearson and Ms. Lindsey stated that there are many unlicensed instructors who are training and certifying individuals to perform eyelash extensions. There are also licensed estheticians who are performing eyelash extensions with no certification or proper training. They highly recommend the Board to look into requiring estheticians to be certified in eyelash extensions before they can practice on the public.

Eyelash extensions fall under the scope of practice of an esthetician, cosmetologist or barber and thus a license as an esthetician, cosmetologist or barber is required. Discussion ensued regarding requiring an esthetician to be certified by a licensed beauty school and licensed instructor.

Hawaii  
Administrative  
Rules (“HAR”):

- A. Revisions to HAR Chapter 73 – Barbers (Draft #1)
- B. Revisions to HAR Chapter 78 – Beauty Culture (Draft #1)

Ms. Williams commented on HAR section 16-73-4.5(3) which states:

*“Exemptions from licensure. The rules governing the practice of barbering shall not apply to the following reasons when acting with the scope of their profession or occupation: (3) An officer or employee of the United States, if the practice is performed by the officer or employee within the federal property;”*

Ms. Williams stated that the above language should apply to any individual if the practice is performed within the federal property.

Mr. Nelson commented on HAR section 16-73-19(a)(1) and 16-73-19(b), which respectively states:

*“Qualification for barber shop. (a) An applicant for a barber shop license shall file a completed application and provide the following: (1) Name and license number of the licensed barber to qualify shop for license;”*

*“(b) The barber shop licensee shall be responsible for all operations of the shop and shall be responsible to see that only currently licensed persons are practicing at the shop.”*

Mr. Nelson commented that the above language is redundant. He recommends the Board look into removing HAR section 16-73-19(a)(1). In his opinion, the business owner of the barber shop should be the only one responsible.

Executive Officer Kleinhans responded that according to Hawaii Revised Statutes (“HRS”) 438-7(d)(2), this rule is required by law and would most likely require a change in the statute.

*“Applications. (d) An applicant for a barber license shall: (2) Identify at least one licensed barber at the barber shop to qualify the barber shop for licensure;”*

Ms. Williams emphasized the word “identify” in that statute and stated that it does not require a licensed barber to sign off on application form.

Executive Officer Kleinhans will check if it is possible to change the wording on the barber shop application form.

Discussion ensued and due to time constraints, the Board agreed to defer the matter and to review the proposed rule package for further discussion at the next meeting.

Applications:

At 1:17 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 1:20 p.m., it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried for the Board to move out of Executive Session.

A. Ratification of Issued Licenses

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

B. Application for Exam & License – Beauty Operator

(1) Royslen K. Frisbee

After discussion, it was moved by Chairperson McKay, seconded by Ms. Williams, and unanimously carried to

approve the beauty operator application for exam & license of Royslen K. Frisbee.

C. Application for Restoration

- (1) Cari Shaw (BEO-10197)
- (2) Deborah J.M. Gornichec (BEO-9055)
- (3) Deborah J.M. Gornichec (BSH-3179)
- (4) Larn T. Foster (BEO-18208)
- (5) Marcelina M. Perez (BEO-17589)

After discussion, it was moved by Ms. Williams, seconded by Ms. Severson, and unanimously carried to approve the five aforementioned beauty operator and beauty shop restoration applications.

Executive Officer's Report: A. Licensing Examination of the National-Interstate Council of State Boards of Cosmetology ("NIC")

Executive Officer Kleinhans provided a brief summary to the Board regarding his correspondence with Mr. Colton:

Question #1: Is the one month that is needed to insert the state laws/rules in addition to the four months required for the schools and shops to prepare their study materials?

Mr. Colton's response: No, Prometric will be able to include the state laws/rules questions within the four-month window.

Question #2: Do applicants schedule for the Prometric NIC exam strictly with IQT (ISO Quality Testing, Inc.) scheduler?

Mr. Colton's response: Yes, candidates will still be required to complete and submit an application to the Board. After Licensing Branch reviews and approves the applicant for examination, Licensing Branch uploads the list of approved candidates to the Prometric system. With that list, IQT sends each approved candidate an email with scheduling instructions.

Executive Officer Kleinhans stated that he will check if it is able to ask for an applicant's email address on Board of Barbering and Cosmetology's applications.

Question #3: Will the outer-islands that do not have access to the electronic NIC examination be provided a paper version of the NIC examination?

Mr. Colton's response: Yes, Prometric would still offer a paper pencil option when needed at those other locations.

Discussion ensued regarding the inclusion of Hawaii state laws/rules questions and several concerns such as reciprocity with other NIC states, the Hawaii military spouse reciprocity provision, and barriers to licensure. Executive Officer Kleinhans recommended the Board not include Hawaii state laws/rules questions to the examination to address the above concerns and to improve license maneuverability. He added that applicants sign and attest on the application form that they have read and will abide by the laws/rules of the Board. After discussion, it was moved by Ms. Williams, seconded by Ms. Severson, and unanimously carried to remove the Hawaii state laws/rules to the new NIC examination.

The Board agreed to defer this item for further discussion at the next board meeting.

**B. Updates to Board Operational Manual**

- i. Department of Human Resources Development  
Discrimination/Harassment-Free Workplace Policy
- ii. Department of Commerce and Consumer Affairs Workplace  
Violence Action Plan

Executive Officer Kleinhans encouraged the board members to review the discrimination/harassment-free workplace policy. The documents will be included in the Board's operational manual for further reference.

**Examination  
Results:**

**A. Results of the State Barber Examination in September 2019**

Executive Officer Kleinhans provided the following results:

Total Exams Passed	20	(40% pass rate)
Total Exams Failed	30	(60% fail rate)



Total Exams Passed (with interpreter)	6	(86% pass rate)
Total Exam Failed (with interpreter)	1	(14% fail rate)

Open Forum: Executive Officer Kleinhans circulated a proposal to amend the barbering and cosmetology curriculum submitted by Joannie Rossiter, Owner and Director of Paul Mitchell School Honolulu, for the board members to review. This topic will be put on the agenda for discussion at the next meeting.

Next Board Meeting: Monday, November 25, 2019  
12:00 p.m.  
King Kalakaua 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 1:32 p.m.

Taken and recorded by:

/s/ Leanne Abe

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Leanne Abe, Secretary

Reviewed and accepted by:

/s/ Kedin C. Kleinhans

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Kedin C. Kleinhans, Executive Officer

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- Minutes approved as is.
- Minutes approved with changes. See minutes of the November 25, 2019 meeting.