

BOARD OF BARBERING AND COSMETOLOGY
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: March 29, 2022

Time: 12:00 p.m.

Place: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Virtual Videoconference Meeting – Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/99608647992>

Present: Margaret Williams, Barber Member, Chairperson
Raynette Hall, Beauty Operator Member, Vice-Chairperson
Leslie Murata, Public Member
Jamie Yap, Public Member
John E. Cole, Deputy Attorney General (“DAG”)
Jenny M. Yam, Executive Officer
Leanne K. Abe, Secretary
Ahlani K. Quiogue, Licensing Administrator
Chelsea Fukunaga, Executive Officer
Kedin C. Kleinhans, Executive Officer (Technical Support)

Excused: None.

Guest(s): Lei Fukumura, Special Deputy Attorney General
John T. Hassler, Regulated Industries Complaints Office (“RICO”),
Supervising Attorney
Reese Yap
Rocio Romero Rodriguez
Shalesa Almond
Yuko Ho

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).

A brief video was played to explain procedures for this virtual meeting and how members of the public can participate and interact with the Board during the meeting.

Call to Order: The meeting was called to order at 12:10 p.m. by Vice-Chairperson Williams, at which time a quorum was established.

Vice-Chairperson Williams proceeded with roll call. All Board members confirmed that they were present.

Election of Officer: It was noted that the previous Board Chairperson and Beauty Operator member, Ms. Amanda Severson, resigned on March 1, 2022.

The floor was opened for nomination for the position of Chairperson and Vice-Chairperson.

Vice-Chairperson Williams nominated herself as Chairperson, the nomination was seconded by Ms. Hall, and unanimously carried to elect Ms. Williams as Chairperson.

Ms. Hall nominated herself as Vice-Chairperson, the nomination was seconded by Mr. Yap, and unanimously carried to elect Ms. Hall as Vice-Chairperson.

Minutes of the
February 8, 2022
Meeting:

It was moved by Mr. Yap, seconded by Vice-Chairperson Hall, and unanimously carried to approve the minutes of the February 8, 2022 meeting as circulated.

Adjudicatory
Matters:

Chairperson Williams asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

Chairperson Williams called for a recess from the meeting at 12:16 p.m., to discuss and deliberate on the following adjudicatory matters pursuant to Chapter 91, HRS (Note: Board members and staff entered the Microsoft Teams meeting).

- A. In the Matter of the Beauty Shop License of ADONAI SALON LLC, and the Beauty Operator's License of VERA CANALES-CLOSE, also known as VERA CLOSE; BAR 2020-59-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

Ms. Fukumura entered the Microsoft Teams meeting at 12:16 p.m.

After discussion, it was moved by Chairperson Williams, seconded by Mr. Murata, and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order.

Ms. Fukumura left the Microsoft Teams meeting at 12:26 p.m.

- B. In the Matter of Beauty Operator's License of CINDY L. VICOY; BAR 2016-30-L; Supplemental Affidavit of John T. Hassler

Summary of events:

5/22/2017: BAR 2016-30-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

On May 22, 2017, the Board accepted the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order ("Settlement Agreement"), which required, among other things, that Respondent shall pay an administrative fine in the amount of \$500. The administrative fine was due in full within 30 days of approval or acceptance of the Agreement by the Board or she could elect to pay the fine in equal installments of no less than \$25.00, with the first installment due within 30 days of the approval or acceptance of the Settlement Agreement by the Board and each successive installment due monthly thereafter, on or by the last calendar day of the month, until the fine is paid in full.

Failure to comply with any terms of the Settlement Agreement would invoke paragraph D.2., Failure to Comply with the Settlement Agreement, which provides that the Respondent's license may be automatically revoked upon RICO's filing of an affidavit attesting to such failure.

For the record, Respondent elected to pay the administrative fine in installments.

2/13/2018: Affidavit of John T. Hassler

John T. Hassler, Esq., Attorney for the Department of Commerce and Consumer Affairs, filed an Affidavit with the Board regarding Ms. Vicoy's noncompliance with the Settlement Agreement.

Mr. Hassler requested that the Board revoke Ms. Vicoy's beauty operator license due to her failure to make the required monthly payments of the fine.

4/16/2018: Board Meeting

The Board reviewed the Affidavit of John T. Hassler and voted to revoke Ms. Vicoy's license.

It was noted that, following the Board's April 16, 2018 decision to revoke Ms. Vicoy's license, there were several changes in the Board's administrative staff. Because of these changes in staff, the Board's office did not place on an agenda for the Board's review and consideration, a Final Order, which would have revoked Ms. Vicoy's license. Thus, there is no record of the issuance of a Board's Final Order and this matter

remained unresolved.

2/7/2022: Supplemental Affidavit of John T. Hassler

Mr. Hassler filed a Supplemental Affidavit with the Board, attesting that Ms. Vicoy failed to pay administrative fine as ordered by the Settlement Agreement dated May 22, 2017. However, on or about January 26, 2022, Ms. Vicoy made payment of \$320.00 to RICO by money order. This amount reflects the remaining unpaid balance of the fine imposed in the Settlement Agreement dated May 22, 2017. RICO requests issuance of a final order reflecting the Board's April 16, 2018 decision to revoke Ms. Vicoy's license.

After due consideration of the information received, it was moved by Chairperson Williams, seconded by Mr. Murata, and unanimously carried to rescind the Board's April 16, 2018 decision to revoke Ms. Vicoy's license. In consideration of this matter, the Board noted that several things were considered, including, but not limited to: (1) an administrative error, specifically, a Final Order was not issued by the Board's office; and (2) Ms. Vicoy has paid, in full, the administrative fine of \$500.00.

Ms. Quiogue left the meeting at 12:39 p.m.

Following the Board's review, deliberation, and decision on this matter pursuant to Chapter 91, HRS, Chairperson Williams announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 12:40 p.m.

Chairperson Williams recognized Mr. Hassler, and advised him that he may provide public testimony on the matter regarding Ms. Vicoy.

Mr. Hassler stated RICO's objections to the Board's motion to rescind its April 16, 2018 decision, to revoke Ms. Vicoy's license. He stated further that this decision by the Board may cause difficulties for RICO to enforce terms of settlement agreements going forward.

Mr. Hassler explained that when RICO include settlement agreement terms that require actions from licensees, such as paying fines on time, it is with the expectation that that there will be consequences for non-compliance.

Mr. Hassler acknowledged the Board's administrative error and its failure to issue a Final Order to revoke Ms. Vicoy's license after the April 16, 2018 meeting. He noted that the Board is unable to confirm with Ms. Vicoy whether she received the 2018 Board notice that indicated RICO's affidavit would be reviewed at the April 16, 2018 meeting since she is not present; however, he emphasized that RICO included a certificate of service that certifies a true and correct copy of the 2018 RICO affidavit

was duly served upon Ms. Vicoy's last known address.

Mr. Hassler stated that it is non-disputable that Ms. Vicoy did not pay the fines for several years and noted that there is no public record that reflects why Ms. Vicoy did not pay the fines on time. He argued that Ms. Vicoy signed the May 22, 2017 Settlement Agreement knowing that if an installment was not paid on time, then paragraph D.2. which would allow for the automatic revocation will apply as if she failed to pay the entire fine.

Mr. Hassler noted that Ms. Vicoy allowed her beauty operator license to expire on December 31, 2017 and chose not to renew the license. He further stated that if the Board issued a Final Order reflecting the Board's April 16, 2018 decision to revoke Ms. Vicoy's license for five (5) years, she will only have one (1) year remaining. He argued that there is no prejudice against Ms. Vicoy for the passage of time for the Board to issue the Final Order and revoke her license.

Chairperson Williams called for a recess from the meeting at 12:55p.m., to discuss and deliberate on the following adjudicatory matter pursuant to Chapter 91, HRS (Note: Board members and staff entered the Microsoft Teams meeting).

B. In the Matter of Beauty Operator's License of CINDY L. VICOY;
BAR 2016-30-L; Supplemental Affidavit of John T. Hassler

Following the Board's review, deliberation, and decision on this matter pursuant to Chapter 91, HRS, Chairperson Williams announced that the Board reconvene to its regular Chapter 92, HRS, meeting at 1:21 p.m.

Chairperson Williams thanked Mr. Hassler for attending the meeting and providing public testimony. She relayed that after consideration of the information received and the testimony provided by Mr. Hassler, the Board's motion and decision remain the same, and that is to rescind its April 16, 2018, decision to revoke Ms. Vicoy's license. The Board based its decision on the unique circumstances of this case, including but not limited to: (1) an administrative error occurred, and a Board's Final Order was not issued following the April 16, 2018 meeting; (2) it is unclear whether Ms. Vicoy received its 2018 notice, which informed her that the RICO Affidavit would be reviewed at the April 16, 2018 meeting; and (3) Ms. Vicoy paid the full administrative fine of \$500, albeit late.

Mr. Hassler left the meeting at 1:25 p.m.

Licensing:

Chairperson Williams asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

At 1:26 p.m., it was moved by Chairperson Williams, seconded by Mr. Murata, 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). (Note: Board members and staff entered into Microsoft Teams).

A. Beauty Operator Application:

- i. Rocio Romero Rodriguez, a.k.a., Rocio Romero

Ms. Romero Rodriguez entered the Microsoft Teams meeting at 1:46 p.m.

Ms. Quiogue entered the Microsoft Teams meeting at 1:52 p.m.

Ms. Romero Rodriguez left the Microsoft Teams meeting at 1:57 p.m.

Ms. Quiogue left the Microsoft Teams meeting at 2:17 p.m.

B. Beauty School Applications:

- i. Beauty Theory School of Cosmetology LLC
ii. Honolulu Nail Academy, LLC (Relocation)

At 2:25 p.m., it was moved by Chairperson Williams, seconded by Mr. Murata, and unanimously carried for the Board to move out of Executive Session. Board members and staff returned to the Zoom meeting.

A. Beauty Operator Application:

- i. Rocio Romero Rodriguez, a.k.a., Rocio Romero

After due consideration of the information received, it was moved by Chairperson Williams, seconded by Vice-Chairperson Hall, and unanimously carried to approve Ms. Romero Rodriguez's application, pending submission of additional information and the issuance of a non-disciplinary letter of education.

B. Beauty School Applications:

- i. Beauty Theory School of Cosmetology LLC

After discussion, it was moved by Chairperson Williams, seconded by Mr. Murata, and unanimously carried to approve the beauty

school application of Beauty Theory School of Cosmetology, to provide Cosmetologist and Beauty Instructor curriculum training, contingent upon the Board's receipt of an amended beauty school curriculum and catalog that includes, but not limited to:

(1) a cosmetologist curriculum and instructor-trainee curriculum that meets Hawaii's licensure requirements; and (2) correct the inaccurate information listed in the beauty school catalog regarding state licensing exam and to reflect that Hawaii State law and rules adopted by the Board shall be taught in all classes.

The motion further delegated the approval of the beauty school application to Executive Officer Yam provided that the application satisfactorily complies with all licensure requirements.

ii. Honolulu Nail Academy LLC (Relocation)

After discussion, it was moved by Chairperson Williams, seconded by Vice-Chairperson Hall, and unanimously carried to approve the relocation application of Honolulu Nail Academy LLC.

C. Ratification of Issued Licenses

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

Executive Officer's Report:

A. Results of the NIC Examination Administered in February 2022

Executive Officer Yam provided the following results:

February 2022	Passed	Failed	Passing %
Barber	4	6	40%
Cosmetology	12	3	80%
Esthetician	19	11	63%
Hairdresser	1	1	50%
Instructor	1	0	100%
Nail Technician	11	6	65%

2022 Legislation:

A. HB2109, HD2 / SB3077, SD1, HD1 Relating to the Barbering and

Cosmetology Licensing Act

The Board discussed the above bills.

The purposes of these bills are to: (1) add and update definitions to satisfy current industry practice needs; (2) align and remedy inconsistencies between Hawaii Revised Statutes (“HRS”) chapters 438 and 439; (3) remove the five-year license requirement for barber and beauty operator Board member seats currently required by HRS section 438-3; (4) raise fees for penalties and disciplinary actions; and (5) remove the medical clearance requirements currently required by HRS sections 439-12.5 and 438-8.5.

Executive Officer Yam informed the Board that HB2109, HD2 was referred to House Committee on Finance but it was not heard. This bill is effectively dead for the 2022 legislative session.

Executive Officer Yam reported that the companion bill, SB3077, SD1, HD1, was heard by House Committee on Judiciary & Hawaiian Affairs (“JHA”) on March 16, 2022. JHA recommended to pass this measure with amendments and SB3077, SD1, HD2 was posted on the capitol website on March 24, 2022. The bill is referred to House Committee on Finance. The Board by consensus supports SB3077, SD1, HD2.

Public Comment: None.

Next Board Meeting: Tuesday, April 26, 2022
12:00 p.m.

In-Person: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Virtual Participation: Virtual Videoconference Meeting
Zoom Webinar

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 2:40 p.m.

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Reviewed and accepted by:

Taken and recorded by:

/s/ Jenny Yam

/s/ Leanne Abe

Jenny Yam, Executive Officer

Leanne Abe, Secretary

JY:la

4/20/2022

Minutes approved as is.

Minutes approved with changes. See Minutes of _____

**BOARD OF BARBERING AND COSMETOLOGY
RATIFICATION LIST – March 29, 2022**

BARBER

BAR-4020	ROSEMARIE M TANGI
BAR-4021	LIANA M NAMOC
BAR-4022	LANDON D PECPEC
BAR-4023	ADAM JP NUNES-ULEP
BAR-4024	VU THE NGUYEN
BAR-4025	DARCI CHIZURU YANAGIHARA
BAR-4026	TRINH THANH NGO
BAR-4027	NATASHA K LAI
BAR-4028	THI THU HA PHAM RODRIGUEZ
BAR-4029	JORDYN H ICHIYAMA
BAR-4030	DO ANH TUAN LY

BEAUTY OPERATOR

BEO-23728	NGOC TUYEN THI NGUYEN
BEO-23729	Shania Campbell
BEO-23730	HIEN THI PHAM
BEO-23731	Cassie K Makainai
BEO-23732	KYLIE MARISA MEADE
BEO-23733	JENNIFER K BUMANGLAG
BEO-23734	JIANLING LUO
BEO-23735	YUMIKO TAKAMIYA
BEO-23736	CHUNG LING LEE
BEO-23737	ERIN-LEI ASAKO HOOKANO
BEO-23738	ANJANEL G MARINAS
BEO-23739	SOON YE BANG
BEO-23740	JULIA LORRIANE AVILA
BEO-23741	SONIA YK LEE
BEO-23742	LAN NGUYEN COLBY
BEO-23743	Sydnee Teylor Keanuenukalani Aiwohi Vincent
BEO-23744	JOHANN T H CANETE
BEO-23745	Zaleigh Anne Emmalia Kawaiianuhea Leoiki
BEO-23746	TERA A MARTIN

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BEO-23747	KANA K LEE
BEO-23748	SATOMI ABE
BEO-23749	CHANTELLE H LAGUNERO
BEO-23750	SAYAKA FUJITA
BEO-23751	Kylie Nicole McCrary
BEO-23752	KAITLIN R SMITH
BEO-23753	MICHELLE ANDREA CAMACHO
BEO-23754	Brittany N Heu
BEO-23755	JOANNA-MARIA MARTINEE AULD
BEO-23756	OANH TO DUONG
BEO-23757	THU HA THI NGUYEN
BEO-23758	RUTA LETHE MAMEA FONOTI
BEO-23759	VLADA BRICH
BEO-23760	DEIJA ASHLYN CASINO MELCHOR
BEO-23761	NHO VAN HUYNH
BEO-23762	JUSTINE JOY CASTRO
BEO-23763	MAYUKO KINOSHITA
BEO-23764	THANH QUANG Q NGUYEN
BEO-23765	JAYDENE M NAMOC
BEO-23766	Yukie Alvarez Suayero
BEO-23767	MARIFE I TANGONAN
BEO-23768	Kaibrie Ui Kealoha No Kaipolani Pabre
BEO-23769	RISA SAKAMOTO
BEO-23770	CRYSTAL M K SIMAO
BEO-23771	Keiko Christa Kurohara
BEO-23772	STORY CLOSE GOURLEY
BEO-23773	ALTHEA F CALZADO
BEO-23774	JANETTE ROXANNE AIONA
BEO-23775	TANYA KAHEALANI MARSH
BEO-23776	MALAEA K MARKS
BEO-23777	ROBIN GILMORE
BEO-23778	Layla Kananimelea Ka'imi Lei Na'auao Sahut-Gray
BEO-23779	RAYMOND C LEO-IRVINE JR
BEO-23780	Brooke Oshiro
BEO-23781	Jessica Jane Fannin
BEO-23782	BACH SON
BEO-23783	Caitlyn-Amber Kuulei-Nani Owen
BEO-23784	VANESSA A PADIONG

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BEO-23785	MEGHAN EDGHILL
BEO-23786	SHANTI LEHUA MANDE
BEO-23787	Hilaria Noemí Guzman
BEO-23788	SUPANSA PIMPORNPIROM HABERMAN
BEO-23789	Kalena Mary Ricardo
BEO-23790	KELLY C WONG
BEO-23791	THANH THAO THI TRUONG
BEO-23792	Maile J Bingham
BEO-23793	Julie Jirovec
BEO-23794	DARIN J YEE
BEO-23795	ECHO S DOWDY
BEO-23796	Nanea Mahealani Branica
BEO-23797	HUONG THI NGUYEN
BEO-23798	LIEM THANH NGUYEN
BEO-23799	ISABELLA I OLIVAREZ
BEO-23800	EMBERLY HOANG
BEO-23801	THI HONG LE
BEO-23802	TIARA MARI TASHIRO
BEO-23803	NATHALIA MARIN NARANJO
BEO-23804	JINGJING WENG
BEO-23805	LINDSEY NICOLE BACHMANN
BEO-23806	TIARE K KAUHANE
BEO-23807	Shanece Kehaulani Umayam-Castaneda
BEO-23808	KEANI LINNEA BRIANA HOOIKAIKA
BEO-23809	Taylor A Geise
BEO-23810	KELLY THI NGUYEN
BEO-23811	ALEXIS H DUPRE
BEO-23812	Haliana K Akana
BEO-23813	Kanani Meleonalani Sadumiano
BEO-23814	DANELLE LEAH YOST
BEO-23815	NHIN TRAN

BARBER SHOP

BAS-1738	LITTLE ROYALTY CUTS LLC
BAS-1739	MASSAGE SALON AND SPA LLC
BAS-1740	THE CUT STUDIO LLC

BEAUTY SHOP

BSH-6267	APRIL MAE DONNELLY
BSH-6268	GM ILASH AND NAILS, INC
BSH-6269	PARADISE PARLOR LLC
BSH-6270	Hair Designs By Raquel LLC
BSH-6271	DOUBLE GEM LLC
BSH-6272	SALON BY YOO LLC
BSH-6273	NELISSA K GARCIA
BSH-6274	ADMIRED RADIANCE LLC
BSH-6275	HAWAII BEAUTY HOUSE LLC
BSH-6276	AYALA INCORPORATED
BSH-6277	LIV AESTHETICS LLC
BSH-6278	MADALI LLC
BSH-6279	KAILA ESTHETICS LLC
BSH-6280	GENUINE BEAUTY MAUI LLC
BSH-6281	DA SHOP KAUAI LLC
BSH-6282	THE SKIN HUT LLC
BSH-6283	SURF STRANDS LLC
BSH-6284	JORDAN K I PASSAS
BSH-6285	ANNAM LLC
BSH-6286	JENNY L PHAN
BSH-6287	GLAM VIBE STUDIO LLC
BSH-6288	Caneesha Aiu

INSTRUCTOR

I-12468	LESLIANNE E SUGANO
I-12469	DENYSE G GALVEZ
I-12470	MARIN M PANG
I-12471	CHASE Y UWAIN
I-12472	LINDSAY M LECKER-OLSEN
I-12473	LILLIAN LE-HOA MORI