

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

MINUTES OF MEETING

Date: November 14, 2023

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/84813401554>

Zoom  
Recording Link: <https://youtu.be/7yHYG-NeMCc>

Present: Margaret Williams, Barber Member, Chairperson (“Chair”)  
Raynette Hall, Beauty Operator Member, Vice Chairperson (“Vice-Chair”)  
Michael Basta Jr., Beauty Operator Member  
Leslie Murata, Public Member

Excused: Jamie Yap, Public Member

Staff: Andrew Kim, Deputy Attorney General (“DAG Kim”)  
Kerrie Shahan, Executive Officer (“EO Shahan”)  
Lei Ana Green, Executive Officer (“EO Green”)  
Rhonda Roldan, Executive Officer  
Kai Cockett, Secretary  
Mia Hoang, (Technical Support)  
Johnny Li (Technical Support)

In-Person Guest(s): Yuko Ho, Owner, Honolulu Nail Academy, LLC  
Eric Ho  
Junsuke Aaron Otsuka

Virtual Guests: Lynsey  
Reese Owens Yap  
Bronson Sonico  
Eric H.

Agenda: The agenda was posted on the State electronic calendar as required by 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.

Board of Barbering and Cosmetology  
 Minutes of the November 14, 2023, Meeting  
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Call to Order: Chair Williams proceeded with roll call of the Board members. Members joining by Zoom confirmed that they were present and alone. There being a quorum present, Chair Williams called the meeting to order at 12:08 p.m.

Approval of the Chair Williams requested the Results of the NIC Examination  
September 12, 2023, Administered in May, June, July, and August 2023 to be amended:  
Minutes:

May 2023	Passed	Failed	Passing %
Barber	(400) <u>3</u>	<u>0</u>	100
Cosmetology	(43) <u>5</u>	(47) <u>7</u>	(42) <u>43</u>
Esthetician	(62) <u>20</u>	(43) <u>13</u>	(64) <u>62</u>
Hairdresser	(50) <u>2</u>	(50) <u>2</u>	50
Instructor	(400) <u>2</u>	0	100
Nail Technician	(67) <u>12</u>	(33) <u>6</u>	67

June 2023	Passed	Failed	Passing %
Barber	(28) <u>2</u>	(72) <u>5</u>	(29) <u>28</u>
Cosmetology	(63) <u>12</u>	(37) <u>7</u>	63
Esthetician	(70) <u>21</u>	(30) <u>9</u>	70
Hairdresser	(400) <u>1</u>	0	100
Instructor	(67) <u>0</u>	(33) <u>0</u>	(67) <u>0</u>
Nail Technician	( - ) <u>4</u>	( - ) <u>2</u>	( - ) <u>67</u>

July 2023	Passed	Failed	Passing %
Barber	(67) <u>4</u>	(33) <u>2</u>	67
Cosmetology	(33) <u>6</u>	(67) <u>12</u>	33
Esthetician	(68) <u>21</u>	(32) <u>10</u>	68
Hairdresser	(67) <u>2</u>	(33) <u>1</u>	67
Instructor	( - ) <u>0</u>	( - ) <u>0</u>	( - ) <u>0</u>
Nail Technician	(83) <u>5</u>	(17) <u>1</u>	83

August 2023	Passed	Failed	Passing %
Barber	(55) <u>5</u>	(45) <u>4</u>	(56) <u>55</u>
Cosmetology	(30) <u>6</u>	(70) <u>14</u>	30
Esthetician	(50) <u>21</u>	(50) <u>21</u>	50
Hairdresser	(60) <u>3</u>	(40) <u>2</u>	60
Instructor	( - ) <u>0</u>	( - ) <u>0</u>	( - ) <u>0</u>

Nail Technician	(30) <u>3</u>	(70) <u>7</u>	30
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After discussion, it was moved by the Vice-Chair Hall, seconded by Mr. Murata, and unanimously carried to approve the minutes of the September 12, 2023, meeting as circulated with aforementioned amendment (with new material in underscored and repealed material bracketed and stricken through).

Chapter 91, HRS  
Adjudicatory  
Matters:

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

Chair Williams called for a recess from the meeting at 12:20 p.m. to discuss and deliberate on the following adjudicatory matter pursuant to Chapter 91, HRS (Board members and staff entered into Microsoft Teams).

- A. In the Matter of the Barber Shop License of THE ROOM, A BEAUTY HUB, LLC; BAR-2023-0022-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order.
- B. In the Matter of the Barber’s License of HAYLEE K. KUALII; BAR-2023-0023-L; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order.

Following the Board’s review and deliberation on these matters pursuant to Chapter 91, HRS, Chair Williams announced that the Board was reconvening to its open meeting at 12:37 p.m.

After discussion, it was moved by Vice-Chair Hall, seconded by Mr. Basta, and unanimously carried to approve the Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board’s Final Order relating to the Matter of the Beauty Shop License of THE ROOM, A BEAUTY HUB, LLC; BAR-2023-0022 and the Matter of the Barber’s License of HAYLEE K. KUALII BAR-2023-0023-L.

Executive Officer’s  
Report:

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

- A. Results of the NIC Examination Administered in September and October 2023

EO Green provided the following results:

September 2023	Passed	Failed	Passing %
Barber	3	6	33
Cosmetology	9	8	53
Esthetician	22	23	49
Hairdresser	0	0	0

Instructor	0	0	0
Nail Technician	2	7	22

October 2023	Passed	Failed	Passing %
Barber	5	6	45
Cosmetology	8	14	36
Esthetician	20	17	54
Hairdresser	5	0	100
Instructor	1	0	100
Nail Technician	7	6	54

B. 2024 Meeting Dates:

- February 13, 2024
- May 14, 2024
- August 13, 2024
- November 12, 2024

EO Green noted that the Board will meet quarterly and that more scheduled meeting dates may be added, if necessary.

Licensing:

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

A. Act 073, Session Laws of Hawaii ("SLH") 2022

The Board discussed its interpretation of Barber Apprenticeships pursuant to Act 073, Session Laws of Hawaii ("SLH") 2022, SECTION 8. Any holder of a barber apprentice permit in effect before July 1, 2023, who files an application for a barber's license before July 1, 2024, may satisfy the training requirement by having one thousand five hundred hours of barber training in a barber shop or beauty shop. Any barber student who began training before the effective date of this Act, may satisfy the training requirement by having one thousand five hundred hours of barber training in a barber school.

EO Shahan stated that previous law was 1500 hours for apprenticeships, 1500 hours for Barbers School. The new HRS §439A, the hours are now 3000 hours for apprenticeship and 1500 hours in a barber School. ACT 073, allows for an individual who registered and started their barber apprenticeship prior to July 1, 2023, to complete only 1500 hours, so long as the individual applied for a barber license exam prior to July 1, 2024.

EO Shahan asked if an individual applied for a barber apprenticeship under the supervision of a hairdresser or cosmetologist prior to July 1, 2023, and needs to apply for a second apprenticeship for the shaving and moustache and facials requirement; would the second apprenticeship still require only the 1500 hours to complete the apprenticeship or would the

individual need to complete 3000 hours? Technically, this is a new application, a new apprenticeship, as we do not have a way to change the persons supervisor and allow them to continue. EO Shahan questioned if the Board would consider this second apprenticeship a continuation of an applicant's first apprenticeship, and they still only are required to do 1500 hours or is this a brand-new apprenticeship and they now have to do 3000 hours of an apprenticeship?

Chair Williams stated that the hairdresser apprenticeship is 2500 hours. So, if they completed half of that, then they can do the extra 250 hours.

EO Shahan stated that they're not doing the 2500 hours because they're completing a Barber Apprenticeship, and yet, their supervisor is a hairdresser. The applicant is approved for a 1500-hour Barber Apprenticeship, and they were doing their hairdresser portion under a hairdresser or cosmetologist. They were not approved for a Hairdresser Apprenticeship.

Chair Williams asked if they checked off Barber when they applied for the apprenticeship?

EO Shahan answered 'yes'.

Chair Williams stated that they would have to go with the 250.

EO Shahan stated that this would be for the people that have previously registered as an apprentice before July 1, 2023.

Chair Williams stated that it is only up to July 1, 2023. It is something that can be temporary. It also says that the Barber student can do 1500 hours of Barbering, that will continue after 2024, correct?

EO Shahan answered 'yes' that it hasn't changed.

Chair Williams stated that they should give them the 250 hours.

EO Shahan stated that they have been approved for a Barber apprenticeship, they only had to complete 1500 hours, not the 2500 hours. That's the question, are we going to ask them to do 3000 hours to pick up the shaving and mustaches requirements? Or are we going to say that their done after 1500 hours because they were completing the apprenticeship that they couldn't do under a hairdresser.

Chair Williams stated that they keep them to the 1500 hours Barbering and be done with it by June 2024.

Vice-Chair Hall asked if this is a mistake on our side?

EO Green expressed that it's not a mistake. As far as paperwork goes, the way things are processed, we don't have a mechanism for a candidate to change their supervisor for their portion of their apprenticeship. In order to do that, the document is an application. We anticipate this being very common for barber applicants. This is not very common. Generally, when you want to be a barber, you do your barber apprenticeship under a barber. But occasionally we get an individual that does barber hair component under a hairdresser, and then goes to a barber for the shaving and mustache portion. Because it's not something that comes up very often, we did not develop a mechanism/option on the application to allow for that.

EO Green and EO Shahan both stated that sometimes the supervisor or salon changes, then the applicant would provide a whole different report. For barber apprentice, if you had a barber the entire time you will get one report from the barber. Now their changing everything that would get the report from someone else. It doesn't come very often, but because of this transition it is an issue.

EO Shahan stated that after the group of applicants that were in the apprenticeship prior to July 1, 2023, are done, we will never see it again. Because everyone will have to do the 3000 hours. It's just this subgroup of barber apprentice during this transition time.

Chair Williams stated if they applied for barber apprenticeships before June 30, 2023, they should go through with the 1500 hours. They beat the deadline.

Vice-Chair Hall stated in the future for those who apply for barber apprenticeship, why isn't it required that you learn under a barber? She understands hairdressers learning under a cosmetologist because they got the full gamut of what you need to learn. But cosmetologist cannot shave, cannot do those things. Why are we allowing a barber to apprentice under them? If you're going to apprentice as a barber, you learn under a barber, not under a hairdresser or a cosmetologist.

EO Shahan stated that this was a decision by the Board several years ago that hair cutting is hair cutting. Hairdresser or cosmetologist can teach hair cutting, so why can't they teach a barber hair cutting? But they can only teach the hair cutting portion.

Vice-Chair Hall stated that they should've applied for a hairdresser, not a barber license.

EO Shahan stated that this would be a discussion for another meeting. Then the Board can amend that previous decision.

Mr. Murata asked who is going to do the things the hairdresser cannot do?

Chair Williams stated that they will have to find a barber to teach them.

EO Green stated that this is not common, it doesn't happen very often. They would need to get another supervisor. Then the supervisor would be a barber, who would do the shaving and facials. Its most common for an apprentice to have one supervisor, but on occasion hairdressing is hairdressing, if the Board allowed it, you would change your supervisor to a barber.

Vice-Chair Hall asked that if she had her cosmetology license and she's teaching someone to be a barber. She brings in a specialist and is present while attending their learning, is that technically not changing a supervisor because she's still there?

EO Shahan stated that they are getting into the weeds of the law. The law says that the cosmetologist is not authorized to do shaving. They can't supervisor someone because they are not authorized to shave.

Vice-Chair Hall stated that in the future she does not think a barber should be allowed to learn from a cosmetologist or a hairdresser if they are going for a barber license.

EO Green stated that the Board should go through the Rules and Laws again.

EO Shahan stated that the Board should look into the Rules and Laws because it could be in the statutes now.

By consensus, the Board decided those approved for the barber apprenticeship prior to June 30, 2023, do the 1500 hours. Those approved for the barber apprenticeship on or after July 1, 2023

E. Application for Restoration of License:

At 12:54 p.m., it was moved by Mr. Murata, seconded by the Vice-Chair Hall, 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).

#### EXECUTIVE SESSION

At 1:15 p.m., it was moved by the Vice-Chair Hall, seconded by Mr. Basta, and unanimously carried for the Board to move out of Executive Session and to reconvene to the Board's regular order of business.

- A. Apprenticeship Applications:
  - i. None.
- B. Applications for License:
  - i. None.
- C. Shop Applications:
  - i. None.
- D. Applications for Restoration of License:
  - i. Chise-Lee Kalani  
(Beauty Operator – Nail Technician)

It was moved by the Vice-Chair Hall, seconded by Mr. Murata, and unanimously carried to approve Chise-Lee Kalani's beauty operator application with NIC examination required.

- E. Ratification List (see attached list)

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

#### New Business:

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

- A. Request for approval of Online Esthetician Program Honolulu Nail Academy, LLC, Yuko Ho

EO Shahan stated that we have in-person Yuko Ho, Eric Ho, and Attorney Junsuke Aaron Otsuka for a presentation. Before the presentation they would like to discuss one of their slides where they said that to ensure the protected trade secrets of our interacted multimedia check point system. They would like to do the sharing through an oral camera feed from this point forward, we do not have the capability to do that.

Attorney Otsuka stated that they would like to do the sharing through an oral camera feed so that it is not in Executive Session.

DAG Kim stated that so it's not in Executive Session we can talk about it from that point.

EO Shahan asked Attorney Otsuka when we get to that slide you want us to stop showing the rest of the slides? Is this correct?

Attorney Otsuka answered 'yes'.

EO Shahan stated that the Board will be losing their quorum at 1:45 p.m., and to please keep the presentation to 10 minutes so the Board will have time to ask questions.

Attorney Otsuka presented Ms. Ho's online presentation to the Board as summarized below:

- Honolulu Nail Academy, LLC requests the Board to approve its online course in practical application portion of its curriculum within the online distance learning Aesthetics Program.
- In particular, the applicant requests that the Board approve an online distance learning program in the practical course to the extent that 1) mannequins are involved, 2) to the extent that family members are involved, and 3) online supervision of students with online meeting is involved.
- Why HNA is appealing to the Board to continuing online Aesthetics Program:
  1. **Confident:** When HNA restricted their class schedule, the videoed each of their demonstrations in their curriculum. If a student was late, forgot, or just needed a review, they gave them an option to watch the video for the subject in question. Therefore, they have tried and tested that aspect of their program since 2015 and they are confident that they can provide the same quality education online as they do on campus.
  2. **Experience:** HNA had 3 years of great experience implementing its online Aesthetics Program during COVID-19 which was the only way that the school could continue the education for their students at that time. Those students successfully graduated, passed the state board exam, and are currently working. The system works.
  3. **Interactive and Follow up:** An instructor monitors the students' progress, communicates with them, and conducts live classes or consultations by appointment. Students could join their campus class at any time by appointment.
  4. **HNA Families:** HNL held an event called "Bloom in Success" in March at the Ala Moana Hotel. The event was aimed at providing a little extra support for the efforts of students and to celebrate their successes after obtaining their licenses. We invited the manager of the renowned hotel spa, the SBA's Director, wholesalers, and vendors as guests, and performed instructional demonstrations. Many

online graduates also gathered for the event. In having events such as this, HNA wants to ensure it students, past and present, that we do not consider simply obtaining a license as a goal. We strive to provide a continuing education for HNA graduates that they can be proud of, even in an online format. Even after graduating from HNA, we aim to continue as the HNA family, sharing a plethora of information and guiding everyone towards future and continued success.

- How many people do you think are working without a license and why do you think that?
- The reasons for not being able to attend school in person
  - \*Busy people who work or have a family to care for**
    - Need to work full-time
    - Young kids, not in school
    - Single parents
    - More than one job
  - \*People who live far from our campus or on Neighbor Islands**
    - Travel during rush hour traffic in and in town to attend class hours
    - Inter-Island student's travel, housing, and transportation expenses
    - Time away from work and family
  - \*Lockdown, or tragic event**
    - Bad economy
    - Lost job
    - Need to change job without leaving current job
    - Financial

In addition, in the past, Temporary licenses were issued within 10 days to three weeks after graduation. However, due to current circumstances, currently it will not be issued for 60 business days or more. As a result, many people may find work and start providing services while they wait or find another job because they can't afford to wait (financially).

- **Opportunities**
  - Online Courses promote Salons and Employment Opportunities.
  - Online Course may Reduce High school drop-out rate
- **Numerous benefits to HNA's online aesthetics instructional program (HNA IMCS)**
  - Accessible to any student (16 years and older) from anywhere, at any time, to work toward fulfilling their dreams.
  - Effect of preventing unlicensed operations.
  - Being able to study while keeping a main job can serve to have a second job in the high-cost living environment of Hawaii, contributing to the revitalization

of Hawaii's economy.

Online presentation ends.

Attorney Otsuka stated that he will briefly go over the student safety issues. There are different levels, the students have to pass certain steps to get to the next level. This is to ensure the students understand before they go to the next level. For example, before the students practice on a mannequin, there will be a live test, someone will oversee the test, once the student is approved, they will get to the mannequin level. The next level will be to practice on a family member, and that would have to be approved to get to the next level. Then the student gets to the critical level, this would also have to be approved. There's an approval for every procedure. The next safety procedure is the types of products that are used - mud, oil, gel, cream serum, wax, mask, the school checks everything with the MSDS (Material Safety Data Sheet), they make sure it's not hazardous, non-reactive, non-toxic material. The risk of being injured by those materials are very low. The school teaches the students in the theory classes on what to do in an emergency situation based on the material of the MSDS. In the Theory classes the students are taught first aid, attorney Otsuka goes over some scenarios of emergency situations and what the students are taught to do in cases like these. These fundamentals are taught in the Theory class as well as the Practical Theory class.

Attorney Otsuka stated that HNA does not use chemical peels as well as high frequency cleansing. They make sure the material they do use is very safe. Yes, they do use wax, soft wax and hot wax, and there could be burns, but overall, it's not much different than from cooking using oil. Cooking you have risk of burns. The question is, is the risk of using wax so hazardous that it should be restricted, and you need to have a teacher right next to you. He doesn't think so because the use of wax is common. To be honest, ladies use it all the time.

Attorney Otsuka discussed other risk that he does see is potential allergies, though this is very individually oriented. Those individuals themselves know what they are allergic too.

Attorney Otsuka stated that the safety procedure is in tacked and they have been constantly updating it to address any problem.

EO Shahan thanked Attorney Otsuka and asked the board if they have any questions?

Vice-Chair stated that she hears what they are saying, she wants online to be accessible. Her main concern is the safety of the

human being they are practicing on, whether it be a family member or not. If it is a family member, her concern is the liability waiver, is it the school that is covered? Or is it both the school and the student that is covered? Because she has seen family members sue other family members. Her concern is the safety of the person and the liability of the student. Because the student is still learning and that she has safety concerns about a student doing any services on a human being when they are not in the school.

Vice-Chair Hall stated that Attorney Otsuka explained about waxing, that woman do waxing on themselves. While this is true, we also check the temperature so its if it's too hot we will not put it on us. A student doing waxing on someone else might not think it's hot for them. There are things learned during the trade and esthetician services are not the same as cooking; cooking does not require a license to be done in a professional field, going to school is a great asset to it but it's not required like it is for our industry.

Vice-Chair Hall also asked if the school accepting non-graduated high school students at the age of 16 that have their GED? Is HNA trying to start a system in the schools, or will they come to your school not being graduated?

Ms. Ho stated that a person at the age of 16 can start school.

Vice-Chair answered no, a 16-year-old needs to have their high school diploma or GED.

Ms. Ho stated they can work with them, meaning the 16-year-old, until they graduate from high school, they can motivate them to graduate.

EO Shahan stated that the motivation is different than enrolling in your school. The new statue 439A says that to begin beauty school you will need to be at least 16 years of age and have an education equivalent to a completion of a high school diploma, that is to go to your school. The question was, are you enrolling people that do not have their high school diploma or GED? Or are you just motivating them to finish high school so they can enroll.

Ms. Ho stated that everything she wants is for the students.

Attorney Otsuka stated that this is a future project that doesn't exist yet. It's just a proposal that they are working with the education department to formulate a program. It's not part of the online program and we can ignore it. They are thinking of combining the online program, assuming that the department of

education is okay with it. This is not on the table for approval, and we can ignore. It's just a future project.

Vice-Chair stated that she is excited about this, she has been talking about having trade schools in the high schools for many years. She doesn't think the board can vote on this do to the fact that it is in the paperwork, and it is stating that this what HNA is looking for.

Attorney Otsuka stated that what HNA is asking for is on the 2<sup>nd</sup> page that states:

Approval Request

*Honolulu Nail Academy, LLC requests the Board to approve its online courses in practical application portion of its curriculum within the online distance learning Aesthetics Program. In particular, the applicant requests that the Board approve an online distance learning program in the practical courses to the extent that 1) mannequins are involved, 2) to the extent that family members are involved, and 3) online supervision of students with online meeting is involved.*

Vice-Chair stated that she has no concerns for their students to use mannequins, but when it comes to a human being, whether it be a family member or not, the Board has concerns for the safety of the student's subject. Students performing esthetician services while not being with a licensed instructor makes her nervous.

Attorney Otsuka asked how about if they are online, the instructors, monitoring the students. They can change the program to not have the family members included. They are asking if they can have this portion be done with an instructor to be with the student online but not physically with them.

Mr. Murata asked that by not having a teacher there, how quickly can do the student who is providing services prevent any injury from happening? And who certifies the location on where the student is doing this?

Attorney Otsuka answered that the instructor would be operating from the school, the student would be online.

Mr. Murata asked again, where is this location? Is this at the student's home?

Ms. Ho answered it would be at the student's home.

Mr. Murata asked who certifies the location by being properly adequate to do what the student has to do online?

Ms. Ho answered that before the student(s) start online the school would check all the cameras that show the area on which the student(s) is situated at to see if its clean and the have check points.

Mr. Murata asked if the instructor would look at the visual cameras' location looking all around the area and the instructor that is online would say "Okay, your good to go".?

Ms. Ho answered it is all like the exams, they would check all the things and make sure it's right and then they start. Otherwise, we wouldn't let them start. Because the person who is taking this course wants to learn. The students have to follow the schools' rules. If they don't follow rules, then they are not going to accept them.

Chair asked, so every person who attends this school, they would have to set up a mini esthetician shop in their house. Who's to say that they're just going to take the test, get their license, and not stay and continue to work out of their house? It doesn't seem like its slowing down on unlicensed activity because houses can't be licensed for them to work in. It's encouraging unlicensed activity.

Mr. Murata asked, also can a house be considered an education area?

Mr. Ho answered yes. University students' study from their home.

Mr. Murata stated you would be studying and doing practical.

Vice-Chair Hall stated that she understands when they say online courses such as nursing students etc., but they actually have to be in a facility. The licensed technicians, when you get your license for your school you would have to submit a lay out plan, a blueprint of your whole school and where things are going to be done. And that's not happening if your students are doing services on human beings at home. The students are not in a facility that the board approved, they are not in a location that has been licensed. And that is a concern.

Vice-Chair Hall stated that she is not opposed to students practicing on mannequins at their home. She is opposed, and it concerns her, that they are providing services on humans. Because you as a school had to get a license to provide this service to students. And a part of that is location and what is in your building and what is in your facility.

Ms. Ho answered it's like a shop license, it's not a business but if they meet the requirement for a shop license, if they have water

and they have a sink, she thinks it's the same.

Vice-Chair Hall stated that for Ms. Ho's school it may be okay but for state law it's technically not the same. Because shop licensees submitted approval.

Vice-Chair Hall asked if she is allowed to give a suggestion? What her thought is to help them with this.

DAG Kim answered that Vice-Chair's question that if she gave a suggestion she would be speaking on behalf of the board.

Vice-Chair Hall asked if she could speak on behalf of a Salon owner and a Nail Technician?

EO Shahan answered not during the board meeting.

Mr. Murata stated that he is still when applying to to open a school you have to show the Board your blueprints, your layouts, what's in your school to make that an operable teaching facility. But the individual home that each student has is not authorized by the Board to operate as a teaching facility. If you (HNA) have to apply for school to open a facility that has to be a-okay to run a school that means that every student home should be the same.

Attorney Otsuka stated that he thinks it's the definition of 'facility' in that issue. He does not think that the student's home will be considered as a facility. The teaching part is in the facility teaching. He doesn't think the board has jurisdiction to go into individual homes and say you can't do that. He has a problem that the board is making assumptions that the student's home is a facility, because he doesn't think that is how the law should be read. The law should be read that the facility, when the student comes the facility should pass the sanitation requirement and make sure there is no safety issue. He understands that they have to comply with that. But we are talking about students, students training themselves. He doesn't have the law books right now and he didn't know that this issue was going to come up. He thinks the word 'facility' is limited to a premise. How can we say your going to regulate everyone's home, who has jurisdiction over that?

Vice-Chair Hall stated that Attorney Otsuka just explained it, that the student's home is not monitored by us, and it's not us, it's the law that we follow. The guidelines that she is going on is what we have for our industry, and part of going to school is to learn those things. And when you're not in the school itself, and you're learning on your own, it's different. She is not opposed to this; she is not opposed to online school. It is completely safety for her.

Ms. Ho stated that if the students are not allowed to practice at home, then there is no use to continue this topic, right? She doesn't know, she is very concerned about it. They checked and they asked everything and if anything is not clear then they stop them.

EO Shahan stated that she would like to follow up. There are rules that say you have to have at least two instructors, every twenty-five students you add an instructor. There are rules that say, neither a student nor an instructor can be in instruction for more than eight hours a day, or forty hours a week. If the students are coming to you, how many students are being instructed at a time, live, on the camera, with audio and visual, you can see and you can hear, how students are you monitoring at a time? And if students are coming on the weekends and they have question, how are you ensuring that you're staying within the law; that your one esthetician instructor, that one person is not going over the forty hours per week or eight hours per day. If the students have access over the weekends, how many people are online at one time?

Ms. Ho answered that they count it. They control the people.

EO Shahan stated, say you have a student that hasn't reached their forty hours week yet, and their doing something on a family member at their home, and they need help right away. Though the instructors have already worked their forty hours for that week, and they are not allowed to work forty-one hours. Who is the student to go to if they have a question or if something has happened and the student says, "the MSD sheet says this, but I don't have it in my home." What are their options?

Ms. Ho answered that she has two estheticians, she is one and the instructor at the school.

EO Shahan stated that she doesn't have the other instructor on our record. She only shows three instructors at the school, one is an esthetician. You have to have at least two instructors, and you have to have another one if you go over fifty. But a person can only instruct with the beauty license they hold. So, a person that holds a nail technician license and instructor license can instruct in nails, a person that has an esthetician license and instructor license can instruct in esthetician. As far as she knows, with the board's records, HNA has two nail technicians that are licensed instructors and one licensed esthetician that has an instructor license.

Ms. Ho stated that they have more instructors.

EO Shahan stated that the board needs to update that. She asked Ms. Ho, how many students does she have online in a class?

Ms. Ho answered that online version is by appointment, so they can adjust it. The school class, one class have six students, so they have more than enough instructors to watch.

EO Shahan asked if a student that wants to do a class at 2:00pm on a Tuesday, you would have to have six students for that online class?

Ms. Ho answered yes.

EO Shahan asked if six students to your total? That's the most you've gone for an online class.

Ms. Ho answered that most of the time is not a lot at the same time. So, they can arrange it.

Mr. Murata announced that he will be leaving. It is 2:03 p.m.

EO Shahan stated that since Mr. Murata is leaving, the board will be losing their quorum. The board will continue to discuss but they won't be able to take a vote. Or the board can table, and they can take a vote now, or they can table and discuss at the February meeting.

Mr. Murata stated that he thinks they should continue discussing this and he can read the minutes. The board can probably make a decision in the February meeting. Is that okay with the board?

Mr. Basta stated that he thinks the board should vote now.

Chair Williams stated that she would be okay with that, voting at the February meeting.

DAG Kim stated that is fine, Ms. Ho, Mr. Ho, and Attorney Otsuka can continue to speak, and the board can vote at the February meeting.

EO Shahan stated if there are more questions to please go ahead and ask.

Vice-Chair Hall stated the Ms. Ho spoke about people from outer island using the online service. She then asked the EO's and/or DAG Kim what the rules on the students going to a flagship or if there was a salon on each island that a student can go to for the school and then do services. Does the salon owner need to be an instructor?

EO Green asked if Vice-Chair Hall is asking if a student can do their practical application in a salon on the outer island?

Vice-Chair Hall answered yes. Is it legal for schools to do that? Is it legal for schools to say, "Hey, we don't have enough space in our shop, can we use a salon with an instructor?"

EO Green answered, in that scenario, would the instructor from that school go to that salon to do the instructing?

Vice-Chair Hall answered, yes, or if there is an instructor on Maui and that works for the school, and she is a salon owner. Is that something in the rules that are covered that could be a possibility?

Chair Williams stated that for cosmetology law, a licensed person cannot do their work on their own clients while the students are learning.

Vice-Chair Hall asked if a family went into the salon, where it has an instructor that was hired by the school, could the student do their practical on Maui in a salon or does it have to be in the school?

EO Shahan stated that the problem with that is that there has to be certain signage, "this is a student, I'm an instructor, all services are going to be done by the student". It would be difficult.

Vice-Chair Hall stated, "But not impossible".

EO Shahan answered, that the issue is the new statute says that students are in school, apprentice are in shops. It would take more than the time we have now to go into the weeds of that section. That might something the board would table and take to the DAG about another day.

EO Shahan asked the board if there are other questions about the presentation?

EO Green asked if the board would like to table this until the February 13, 2024 meeting?

Vice-Chair Hall stated yes.

Ms. Ho stated that even if they check if the student's room is safe then there are no exception, is that right?

Vice-Chair Hall stated we can't make that decision now.

EO Green stated that the board has lost its quorum, they cannot make a decision now.

Attorney Otsuka stated that maybe the issue regarding the mannequin, there is no issue on the platform. The issue online there maybe issues. Next time maybe they can discuss the first issue.

EO Green stated that on the question on the agenda is to use the mannequin and a live model on a family member. And the board can consider that and decides if they can use just the mannequin.

DAG Kim stated that we cannot decide that now.

EO Green stated that at some point we can decide that.

Attorney Otsuka stated that basically what the board decides, we can alter the program.

EO Green asked for the school you would have to have all this equipment, for 25 students, you will need 3 shampoo areas, 3 dryers, appliances, do the students have all these? Do they purchase their own mannequins? Or do you provide it for them?

Ms. Ho answered that the students purchase their own mannequin.

EO Green asked if there is any equipment that the school gives the students like the nail technicians have?

Ms. Ho answered "no".

EO Green stated that with the school, the facility which they are maintaining, according to the rules, if the room or rooms where the work is done on a customer, and in this case, the facility, the student is doing work on a customer or a family member in their home. The facility is now the student's home. The board has concerns because they cannot walk into a private residence, but they do have jurisdiction to go into a license facility. The student is the facility, that is now their private residence. And the instructor, before the student starts practicing, the student will scan the room and angles so the instructors will see it. Is this done every day before they practice?

Ms. Ho answered 'yes'.

EO Green asked Ms. Ho if the room is scanned only when the student is working on a live person?

Ms. Ho answered that before the student starts the online program, they scan the room, and the instructor makes sure there is no distractions and it's a clean and safe area.

EO Green stated that in this proposal, it would be online, it would be live, not recorded.

Ms. Ho answered that the mannequin part would be recorded.

EO Green stated that the instructor wouldn't see the room for the mannequin part until after the student has performed it. The instructors wouldn't know whether there are children running around or its sanitary until after the preformed their work. Before they work on a live model, the students would have to scan the room to show the instructor that it's all good.

EO Green stated that she knows each school must have a library. Is the electronic library for the students?

Ms. Ho answered yes.

Vice-Chair Hall asked where the majority of students are located, do you have those numbers?

Ms. Ho answered that she does not have those numbers right now. The majority are not in Honolulu.

Vice-Chair Hall asked if there is an island that has the majority of students? Where's your most popular location for online class?

Attorney Otsuka stated that Ms. Ho doesn't want to answer that, and she doesn't have the numbers right now.

EO Green stated that the Vice-Chair is asking because Ms. Ho stated that it is accessible for people to do her online program that is from another island.

Vice-Chair Hall stated that for an instructor to go to another island could be possible. For the safety of the student and to whomever they are doing the procedure on is hopeful to have an instructor there. She's trying to give Ms. Ho hope here.

Attorney Otsuka stated that the whole idea of this program is to offer people an alternative method of schooling.

Ms. Ho further discussed the safety check points.

Chair Williams asked how many students they are limited to, online.

Ms. Ho answered that by law is twenty-five.

Ms. Ho stated that student wants to get the license. They are not forcing them. They want to make sure the students are a success. She wants to make sure this program works. She hopes the board understands her point.

Vice-Chair Hall stated at this point we can't vote on anything.

EO Shahan stated that in Ms. Ho's presentation she mentioned Pure Nails and Beauty and suggested she might want to check with BREG because the Board records have the shop listed as Pure Nails. She needs to make sure her trade name is correct.

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 2:32 p.m.

Next Board Meeting:

Date:	Tuesday, February 13, 2024
Time:	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 2:32 p.m.

Reviewed and accepted by: Taken and recorded by:

/s/ Kerrie Shahan

/s/ Kai Cockett

\_\_\_\_\_  
Kerrie Shahan, Executive Officer

\_\_\_\_\_  
Kai Cockett, Secretary

KS: kc

01/08/2024

Minutes approved as is.

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

**BOARD OF BARBERING AND COSMETOLOGY  
RATIFICATION LIST – September 12, 2023**

**BARBER**

BAR-4128	ZOMAR G LOPEZ
BAR-4129	TIMOTHY C FREETLY
BAR-4130	GREGORY B AUTREY
BAR-4131	GARY BOW LAM GAN
BAR-4132	ROBERT T VAN
BAR-4133	JOHN THACH
BAR-4134	GARY K STOCKMAN
BAR-4135	EUISUN CARSON
BAR-4136	ALEXIS K S GIBBS
BAR-4137	MARC A SAAVEDRA
BAR-4138	JORAM M CAJERO MONTOYA
BAR-4139	MICHAEL R DONAHUE
BAR-4140	VINCENT M HOLLOWAY
BAR-4141	RILEY M BALLESTEROS
BAR-4142	GAVIN M FITZGERALD
BAR-4143	TAJH K TULBA

**BEAUTY OPERATOR**

BEO-24486	THOMAS BOJORQUEZ 2ND
BEO-24487	DAO THI NGOC NGUYEN
BEO-24488	DANIELA SANCHEZ MEJIA
BEO-24489	SVETLANA N STATINA
BEO-24490	Amber Elizabeth Cramer
BEO-24491	NANCY M MARFIL
BEO-2449	LETICIA M ZUNIGA
BEO-24493	NOMALA TEN HUDDY
BEO-24494	ARIANA J SANTIAGO
BEO-24495	Chanelle Esprite Schmid
BEO-24496	JAZZLYN K STANDFORD
BEO-24497	CARLA S REPPETEUX
BEO-24498	NORIKO OKAMOTO KUEHN
BEO-24499	MI SUN KIM
BEO-24500	Kara Nicole Hamm
BEO-24501	TRANG T K NGUYEN
BEO-24502	LAURA DIANE LAUVER
BEO-24503	KEYANA K M CORREIA
BEO-24504	KARA EMERSON

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BEO-24505	DAOMING ZHENG
BEO-24506	VALERIA MAGANA MAGANA
BEO-24507	ALISA N COIMBRA
BEO-24508	Ava L Vazquez
BEO-24509	Arden Julia Kahle
BEO-24510	MEGAN E ELAM
BEO-24511	ANGELA G RUNK
BEO-24512	YSABEL L HANAMAIAKAI
BEO-24513	TONILYN M TAGLE
BEO-24514	BRANDI HAUOLI HULIHEE
BEO-24515	CHANNA A TRANSGIFURACION
BEO-24516	Nikki K Kamoku-Pantohan
BEO-24517	MICHELLE A NABONG
BEO-24518	PHON LINH HUYNH
BEO-24519	STEJANTE SHANIECE WASHINGTON
BEO-24520	Bridget Mae Carter
BEO-24521	RIE M KAJIWARA
BEO-24522	PEACEFUL R LYONS
BEO-24524	Deja Nekole Warren
BEO-24525	JULIETTE M PARADISO
BEO-24526	Desiree B Dahilig
BEO-24527	Jerae K Fusco-Kupuka'a
BEO-24528	JASMINE K AIWOHI-KEOMAKA
BEO-24529	Cherel H Ing
BEO-24530	HALEY J MARKEL
BEO-24531	KARLIE L TACTAQUIN
BEO-24532	VICTORIA H FAUMUINA
BEO-24533	ILIANA MARIE GOODMAN
BEO-24534	PAIGE CHARLISE SOLOMON
BEO-24535	Rayna K Duenas
BEO-24536	ADRIENNE M WORLEY
BEO-24537	Rebecca Lane Haskins
BEO-24538	Taylor K Miyake
BEO-24539	Toni Elizabeth Kincaid
BEO-24540	Kristen A Maeno
BEO-24541	ANUHEA R KALAMA-WRIGHT
BEO-24542	RASHIA S I CHATMAN-ULIBAS
BEO-24543	JAMIE LEE ENDRES
BEO-24544	ARIANNA SKYE KEMALA CHUNG
BEO-24545	TAIA I DARJEAN
BEO-24546	MADELYNN T ENGELKE
BEO-24547	RINA NAGAHASHI

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BEO-24548	Jiordanne C Guy-Candelaria
BEO-24549	GINESSA D BONO
BEO-24550	Mahina Haruka Bettencourt
BEO-24551	THUYDUONG THI NGUYEN
BEO-24552	Nobuko Nakajima
BEO-24553	Leslie J Llanes
BEO-24554	JOCELYN J MATSUTANI
BEO-24555	TRISELLE N PERKETT
BEO-24556	HILLARY E HOWARD
BEO-24557	CHANELLE CORAE SORGANI
BEO-24558	HOKULANI K PACARRO
BEO-24559	KAMISHIA DIONNE STANFIELD
BEO-24560	EMILY H M BROWN
BEO-24561	Shelby D Ferguson
BEO-24562	MYLA D NOVECK
BEO-24563	Aki Yamaguchi
BEO-24564	Finesse M Chang-Nixon
BEO-24565	Roxianne Kiana F Arista
BEO-24566	Alexandria Kaanoi Zabell
BEO-24567	Allison Kunkemoeller
BEO-24568	DANIEL SCHRIMSHER
BEO-24569	Jadalei Budiao Valdez
BEO-24570	KIMORA LOZENA MCKEE
BEO-24571	CRYSTAL MARILYN STENSLAND
BEO-24572	CHERISH H WAGNER
BEO-24573	Kelsie R DeNardo
BEO-24574	Brittney Teran
BEO-24575	JESSICA L LUNA
BEO-24576	BLANE J P BENEVEDES
BEO-24577	MAI SAKAKIBARA
BEO-24578	MAHINAHINA T L SALVANI
BEO-24579	JADE BELLE KIM
BEO-24580	Leslie Rose Carlos
BEO-24581	Keri Anela Waltjen
BEO-24582	HIRONOBU FUJIKI
BEO-24583	Alannah Lee Markman
BEO-24584	Melissa H Toledo-Kabalis
BEO-24585	JASMIN D V GAYAP
BEO-24586	TIFFANY ANN M DACUYCUY
BEO-24587	MANDY S MASON
BEO-24588	LAURA LEE STEPHENS
BEO-24589	Angelica Acosta

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BEO-24590	Myranda Acephie Douglas
BEO-24591	Alexis Victoria West
BEO-24592	ALAIA ARMONY
BEO-24593	Kristina Louise Welzien
BEO-24594	ANH N DANG
BEO-24595	STACEY LYNNE BOSCOE
BEO-24596	HALIA A BRUHN
BEO-24597	Hiileilani Naleilokeololena Tavares
BEO-24598	Jessica J Crump
BEO-24599	Yulia Kozyritskaya
BEO-24600	Shannon Mi Jung Youn
BEO-24601	Diana Hansen
BEO-24602	Phoebe Allison Andres
BEO-24603	Tamika Chuklanov
BEO-24604	TIANA S N KOA
BEO-24605	TRACY SUMI KIM
BEO-24606	HIDEYO HOPE
BEO-24607	SAMANTHA L HULEN
BEO-24608	CHRISTY K DALIGDIG
BEO-24609	ANDREA NICOLE M LLANES
BEO-24610	Kanani Marie Naihe
BEO-24611	Michele Fitzgerald Laster
BEO-24612	Xaria Natsuko Gonzales
BEO-24613	JESSICA SARAH FONTANILLA
BEO-24614	RHONDA LEIGH SAUER
BEO-24615	Kai Josephine Brown
BEO-24616	VICKY M MURPHY
BEO-24617	Brittni A K Rapoza-Nueku
BEO-24618	Jenna M Winham
BEO-24619	CHRISTY D MORALES
BEO-24620	ANDREA C NIKULA
BEO-24621	BRITNEE ROCHELLE GUZMAN
BEO-24622	JASMINE NICOLE PULIDO AGCAOILI
BEO-24623	CELINA TOVAR-DURAN
BEO-24624	TISHA URIOSTE SCHWARTZ
BEO-24625	HEIDI G CUEVA
BEO-24626	RIE A LIEU
BEO-24627	KIANA JAE LIZAMA CRUZ
BEO-24628	LAURA SHANICE CARTER

**BARBER SHOP**

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BAS-1791                   BIG ISLAND BARBERSHOP INC  
BAS-1762                   CNB BARBER NAIL LLC

**BEAUTY SHOP**

BSH-6492                   Kessyca Faren Silva  
BSH-6493                   GLOW BY GEORGE LLC  
BSH-6494                   HELE MAI BEAUTY LLC  
BSH-6495                   SKINGLAMOUR\_AESTHETICS, LLC  
BSH-6496                   SOPHIA & MERRY INC  
BSH-6497                   The Beauty Spot Hilo LLC  
BSH-6498                   LISA A HIRAOKA  
BSH-6499                   SHANTI ENTERPRISES INC  
BSH-6500                   SAINT ARTISTRY LLC  
BSH-6501                   EAGLE NAILS KAHALA LLC  
BSH-6502                   JULIE NEMOTO  
BSH-6503                   KAYLLAH M SALUD  
BSH-6504                   ALOHA LASHTENIA LLC  
BSH-6505                   KRISTINA K LEWIS  
BSH-6506                   KRISYXOAESTHETICS LLC  
BSH-6507                   The Girls at Graciela's Hair Salon Inc  
BSH-6508                   JANIDARTISTRY LLC  
BSH-6509                   ISLAND DERMATOLOGY LLC  
BSH-6510                   MERMANE LLC  
BSH-6511                   DIVINE NAILS LLC  
BSH-6512                   TANYA T BORDENKIRCHER  
BSH-6513                   PUTHEARY PHOK PETERS  
BSH-6514                   MARYANNE T LEAL  
BSH-6515                   WAHINE COLLECTIVE LLC  
BSH-6516                   Season Thai Massage LLC  
BSH-6517                   MAUI SHORES APPAREL GROUP, LLC  
BSH-6518                   NAILPEDIA AND SPA LLC  
BSH-6519                   MANE BEAUTY LOUNGE LLC  
BSH-6520                   HEARTY HAIR LLC  
BSH-6521                   MIKAYLA DRU HAIR LLC  
BSH-6522                   AMANDA K BROUSSARD  
BSH-6523                   NEW MODERN NAILS LLC  
BSH-6524                   ELIZABETH KATHRYN SAISON  
BSH-6525                   KEKELA KUWAHARA LLC  
BSH-6526                   YE EUN PARK

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BSH-6527	MHBEAUTY LLC
BSH-6528	NAESTHETIX ARTISTRY LLC
BSH-6529	FIRST HAIR CUTTERY LLC
BSH-6530	SIMPLY LAVISH LLC
BSH-6531	LUX BEAUTY BY KAILEY LLC
BSH-6532	DOMINICANHYM LLC
BSH-6533	K BEAUTY LAB INC.
BSH-6534	COLLEEN M GOTO
BSH-6535	Heidi Love
BSH-6536	J ISLAND INC
BSH-6537	HONEST RITUALS INC
BSH-6538	THE BROW AND INK STUDIO LLC

**INSTRUCTOR**

I-12481-0	IVAN K MATSUMOTO
I-12482-0	MONIQUE H VILLARIN