

Draft Minutes – Board to Approve at Next Meeting

MINUTES

FLORIDA BARBERS' BOARD Department of Business and Professional Regulation

Telephone Conference Call

Tuesday, September 23, 2008
10:00 a.m.

General Business Meeting

The General Business Meeting of the Florida Barbers' Board was called to order at approximately 10:00 a.m., by Mr. Herman White, Chair.

Board Members Present

Herman White, Chair
Carl Troup, Vice Chair
Jeri Scott
Robert Collins
Edwin Stewart
Thomas Vaughn

Board Members Absent

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation
Barbara Edwards, Assistant Attorney General, Department of Legal Affairs
Dana Ewaldt, Government Analyst, Department of Business and Professional Regulation
Tracy Brown, Court Reporter

Interested Parties Present

Traverse Lippett, Endorsement Applicant
Juan Airado, Endorsement Applicant
Enan Leon, Endorsement Applicant
Adalys Estupinan, Translator for J. Airado and E. Leon
Ballaguel Charles, Endorsement Applicant
Ryan Dunn, Endorsement Applicant
Javier A. Santos, Endorsement Applicant

The meeting was opened with a roll call and a quorum was established.

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Applications

Out-of-Country Endorsement Applications

Informal Hearing Requests

Juan Airado / Cuba

Juan Airado's out-of-country endorsement application was denied at the February 25, 2008, board meeting since the documentation failed to demonstrate completion of course work covering the subject of hair structure and chemistry and chemical services and no demonstration of a written and practical examination as required by Rule 61G3-16.005, Florida Administrative Code. Mr. Airado requested an informal hearing in the application denial matter. Mr. Airado was present for the conference call meeting along with Ms. Odalys Estupinan as his translator. A review of the additional documentation submitted by Mr. Airado did not demonstrate completion of the required course work or examination information. Vice Chair Carl Troup moved that the board uphold the denial. Mr. Thomas Vaughn seconded the motion. All board members voted in favor of the motion. The motion passed unanimously. Ms. Barbara Edwards, Assistant Attorney General, stated that she would provide Mr. Airado with written correspondence defining the current endorsement application requirements.

Enan Leon / Cuba

Enan Leon's out-of-country endorsement application was denied at the February 25, 2008, board meeting since the documentation failed to demonstrate completion of course work covering the subject of hair structure and chemistry and chemical services and no demonstration of a written and practical examination as required by Rule 61G3-16.005, Florida Administrative Code. Mr. Leon requested an informal hearing in the application denial matter. Mr. Leon was present for the conference call meeting along with Ms. Odalys Estupinan as his translator. A review of the additional documentation submitted by Mr. Leon did not demonstrate completion of the required course work or examination information. Vice Chair Troup moved that the board uphold the denial. Ms. Jeri Scott seconded the motion. All board members voted in favor of the motion. The motion passed unanimously. Ms. Edwards stated that she would provide Mr. Leon with written correspondence defining the current endorsement application requirements.

Initial Review

Ryan E. Dunn / Oklahoma

Ryan Dunn was present for the conference call meeting. Ms. Dunn's endorsement application was forwarded for board review since the educational credential evaluation report, from Josef Silny & Associates, Inc., did not demonstrate completion of course work covering shaving services. Subsequent to the education credential evaluation report, documentation was provided from the Oklahoma State Department of Health outlining the barbering curriculum required for students in the

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State of Oklahoma. Review of the documentation demonstrated that completion of course work in shaving services is required. The board determined that the barbering curriculum in Oklahoma was similar and comparable to that required of Florida barbering students. Mr. Edwin Stewart moved that the board approve the application based on the documentation provided. Vice Chair Troup seconded the motion. All board members voted in favor of the motion. The motion passed unanimously.

Traverse L. Lippett / Texas

Traverse Lippett was present for the conference call meeting. Mr. Lippett's endorsement application was forwarded for board review since the educational credential evaluation report, from Josef Silny & Associates, Inc., did not demonstrate completion of course work required by Rule 61G3-16.005, Florida Administrative Code. The credential evaluation report indicated that a transcript of Mr. Lippett's barbering program in Texas was not provided and, therefore, Josef Silny & Associates, Inc., was unable to complete their evaluation of the education on a course-by-course basis. Subsequent to the education credential evaluation report, documentation was provided demonstrating the required barbering curriculum content in accordance with Sections 1601.557 and 1601.558, of the Texas Occupations Code. Review of the documentation demonstrated that the barbering curriculum in the State of Texas was similar and comparable to that required of Florida barbering students. Mr. Stewart moved that the board approve the application based on the documentation provided. Mr. Vaughn seconded the motion. Vice Chair Troup voted in favor of the motion. Mr. Robert Collins voted in favor of the motion. Chair White voted in favor of the motion. Ms. Scott opposed the motion. By majority vote, the board approved Mr. Lippett's application for licensure by endorsement.

Ballaguel Charles / Haiti

Ballaguel Charles was present for the conference call meeting. Mr. Charles' out-of-country application was forwarded for board review since the educational credential evaluation report, from Josef Silny & Associates, Inc., did not demonstrate completion of the subject of hair structure and chemistry as required by Rule 61G3-16.005, Florida Administrative Code. After review and discussion, Vice Chair Troup moved that the board deny the application as the documentation provided did not demonstrate completion of course work in the subject of hair structure and chemistry. Mr. Robert Collins seconded the motion. All board members voted in favor of the motion. The motion passed unanimously.

Javier A. Santos-Andino / Dominican Republic

Javier Santos-Andino was present for the conference call meeting. Mr. Santos' out-of-country application was forwarded for board review since the documentation provided did not demonstrate passage of a written and practical examination as required by Rule 61G3-16.005, Florida Administrative Code, and based on a discrepancy in the total number of hours reflected on the curriculum breakdown

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document. After review and discussion, Mr. Stewart moved that the board deny the application since the documentation provided did not demonstrate completion of course work in the subject of hair structure and chemistry and there was no proof of passage of a written and practical examination. Vice Chair Troup seconded the motion. All board members voted in favor of the motion. The motion passed unanimously.

Other Business

Board Attorney's Report

Proposed Amendment to Rule 61G3-16.010, Florida Administrative Code – Supervised Practice Exception

Ms. Edwards informed the board of a new bill, HB7109, and the impact on all boards regarding rule development and amendments. The bill places a requirement to include a statement of estimated regulatory costs (SERC) each time a new rule is created or an existing rule is amended. In response to the proposed amendment to Rule 61G3-16.010, Florida Administrative Code, Supervises Practice Exception, the Joint Administrative Procedures Committee (JAPC) has determined that this rule may have an impact on small businesses and that a SERC is required. Ms. Robyn Barineau, Executive Director, noted that she started drafting a SERC for this proposed amendment based on an analysis of an average number of people who re-examined during the past three years. The board unanimously agreed that Ms. Barineau was the best one to provide the analysis of the impact on small businesses.

Adjournment

There being no further business, the meeting was adjourned at 11:05 a.m.