

## **EXECUTIVE SUMMARY** **Florida Barbers' Board**

### **I. General Information**

Meeting Type: General Business  
Meeting Date: Sunday, February 12, 2006, & Monday, February 13, 2006  
Meeting Location: The Florida Mall Hotel  
1500 Sand Lake Road  
Orlando, Florida 32809

**Attendees:**

Peter "Dave" Magda, Chair  
Herman White, Vice Chair  
Robert Collins  
Jeri Scott  
Dennis Yecke, Deputy Secretary of Professions, Department of Business and Professional Regulation (DBPR)  
Robyn Barineau, Executive Director, DBPR  
Dan Biggins, Assistant Attorney General, Department of Legal Affairs (DLA)  
Charles Tunnicliff, Assistant General Counsel, Office of the General Counsel, DBPR  
Dana Ewaldt, Government Analyst, DBPR  
Michael Woods, Court Reporter  
David Lipscomb, Esquire  
Lynda Calcano, International Services  
Letty Milazzo, ASM Beauty World Academy  
Francisco J. Abreu, Endorsement Applicant  
Elsa S. Alvarado Ruiz, Endorsement Applicant  
Natallia Klimava, Endorsement Applicant  
Isnara Lacroix, Endorsement Applicant  
Doris B. Macia, Endorsement Applicant  
Francisco Magana, Endorsement Applicant  
Benjamin Perez Rojas, Endorsement Applicant  
Arely Mezquita-Martinez, Endorsement Applicant  
Hector I. Nazario, Endorsement Applicant  
Joel Santos, Endorsement Applicant  
Ana Antonia DeLos Santos, Endorsement Applicant  
Norma Iris Chevres, Endorsement Applicant  
Maria Blanco, Endorsement Applicant  
Corin Andrews, Fathers & Son, Respondent  
Jesse Barra, Ground Zero Barbershop, Respondent  
Gerald Kancey, Respondent  
Michael Jones, Keeping it Real, Respondent  
Phil Ligamaari  
Carol Collins  
Jidicor Vidales  
Elisa Figueroa  
Ines M. Villamuel  
Marlene Melendez

Aileen Torres  
Migulena Mendez  
Jose Mendez  
Derwin Scalph  
Monica Scalph

## **II. Major Issues/Actions**

- Deputy Secretary Dennis Yecke introduced himself and thanked the board for the opportunity to appear before them; Deputy Secretary Yecke advised the board of Secretary Marstiller's goal of exceptional customer service to board members and the department's licensees; he informed the board that the department and the Governor's Appointments Office are working on filling all vacant board member positions in the near future; he encouraged board members to contact him with suggestions or comments
- Ms. Jeri Scott indicated that she has not heard anything further from Senator Linn's office on the board's proposed internship legislation
- The board asked that some of their unlicensed activity funds be utilized to conduct sweeps and stings in areas of heavy unlicensed activity
- Ms. Robyn Barineau, Executive Director, informed the board that as of September 30, 2005, there was a cash balance in their operating account of over \$1.1 million
- Ms. Barineau informed the board that the following items were included in the agenda for informational purposes: Complaints and Investigative Statistics Report for the period July 2005 through December 2005; Announcement by Governor Bush regarding funding recommendations for hurricane preparedness, response and recovery; DBPR unlicensed activity complaint line press release; and email from the DBPR Secretary regarding Governor Bush's 2006-2007 Executive Budget
- Ms. Barineau informed the board of the many efforts the department is making toward compliance with continuing education requirements for the upcoming renewal; these efforts include distribution of a flier to barbershop owners reminding them of the requirements for continuing education prior to the end of the biennium; inclusion of reminder information on the board's webpage and in the board's newsletters; and inclusion of inserts with the renewal notices which should be mailed on or about August 30, 2006; Ms. Barineau reminded the board that should licensees not be in compliance with continuing education requirements, licensees will not be allowed to renew their licenses
- Ms. Barineau solicited the board's assistance with articles for inclusion in the upcoming newsletters
- Ms. Barineau advised the board that the department is currently attempting to address the board member vacancy situation; the department is seeking assistance from boards to assist with locating qualified applicants to fill vacancies on all its boards and commissions; Ms. Barineau suggested that interested applicants contact the department or the Governor's Appointments Office for a Gubernatorial Appointments Questionnaire for completion and filing with the Governor's Appointments Office
- The board agreed to conduct Standardization in conjunction with the November 2006 examination in Orlando

- Chair Dave Madga expressed some concerns with the Casselberry practical examination site; he will forward the concerns voiced by some practical examiners to Ms. Barineau for forwarding to the Bureau of Education and Testing
- Chair Madga reminded the board that the National Association of Barber Boards of America (NABBA) will host their 2007 annual convention in Orlando, Florida; he added that barber boards across the United States are having similar problems including unlicensed activity; he would like for all board members and staff to participate in the 2007 NABBA annual convention
- Mr. Dan Biggins, Assistant Attorney General, informed the board that the amendment to Rule 61G3-20.002, Florida Administrative Code (F.A.C.), - Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees - restructuring the fees due to the change in the examination content was effective January 1, 2006
- The board agreed that the following information must be provided by an out-of-country endorsement applicant: (1) out-of-country barber license – (a) if an out-of-country license is not issued and the country authorizes the individual to practice based on a diploma or certificate once their education is completed, there must be a statement to this effect from the qualifying school or country; (b) if the license/certificate/diploma does not indicate “barber”, a similar name on the license/certificate/diploma is acceptable, i.e., beauty specialist (2) proof of at least 1,000 educational hours with proof of shaving; safety, sanitation, and sterilization; haircutting; shampooing; and chemical services
- The board agreed to amend Rule 61G3-15.005(4) , F.A.C. – Endorsement – as follows:  
 “Demonstrates that he or she has completed:  
 (a) 1,000 hours of schooling in a program similar to, comparable to or more stringent than that required of Florida students and covering the subjects of safety, sanitation, and sterilization; hair structure and chemistry; hair cutting; shampooing; chemical services; and shaving, as specified by the Barbers’ Board; or...”
- The board agreed to amend Rule 61G3-19.011(6), F.A.C. – Barbershop Requirements – as follows:  
 “The barber shop must have sinks available and installed in the locations most convenient to one sink for each two barber chairs and such sink shall be installed in the most convenient place for the barber chairs. All such sinks must be adequate for the shampooing of hair.”
- The board considered 45 out of country barber endorsement applications
- The board considered 21 disciplinary cases
- The board was presented with four requests for formal hearings in the application denial matters for Luisa Ortiz DeLa Rosa, Raysa Manuela Maldonado, Wendy Venecia Pimental and Javier Toboas; after further review, the board approved all four endorsement applications for these individuals
- The board approved the revised continuing education course application for ArcMesa Educators
- Mr. Charles Tunnicliff, Assistant General Counsel, reported that there are currently 67 barber cases in the legal section
- Mr. Tunnicliff informed the board that Ms. Cameron Dougherty, Assistant General Counsel, has resigned and he will continue to serve as their prosecutor
- The board agreed to conduct its next meeting in Orlando, on Monday, May 15, 2006, in Orlando, Florida

### III. Legislation/Rule Promulgation

- The board's legislative proposal relating to barbering internship programs and legislation eliminating the option for Florida students to be licensed as restricted barbers will be updated to include the following language:  
“ 476.114 (c)1. Holds an active valid license to practice barbering in another state or country, has held the license for at least 1 year, and does not qualify for licensure by endorsement as provided for in s. 476.144(5); or...”
- Mr. Biggins will amend and proceed with filing Rule 61G3-15.005(4) , F.A.C. – Endorsement – as follows:  
“Demonstrates that he or she has completed:  
(b) 1,000 hours of schooling in a program similar to, comparable to or more stringent than that required of Florida students and covering the subjects of safety, sanitation, and sterilization; hair structure and chemistry; hair cutting; shampooing; chemical services; and shaving, as specified by the Barbers' Board; or...”  
(c) Mr. Biggins will amend and proceed with filing Rule 61G3-19.011(6), F.A.C. – Barbershop Requirements – as follows:  
“The barber shop must have sinks available and installed in the locations most convenient to one sink for each two barber chairs and such sink shall be installed in the most convenient place for the barber chairs. All such sinks must be adequate for the shampooing of hair.”

### IV. Action Required

- Mr. Tunncliff and Mr. Biggins will prepare all final orders and forward to board staff for filing with the Agency Clerk
- The board asked Ms. Barineau to forward copies of their amended legislative proposal relating to barbering internship programs and eliminating the option for Florida students to be licensed as restricted barbers to the Department of Education and the Commission for Independent Education for dissemination to their schools
- The board will discuss barbering definitions at their next board meeting
- The board asked Ms. Barineau to inquire about utilizing their unlicensed activity account to fund stings and sweeps in areas of the state where unlicensed activity appears to be problematic and report her research at the next board meeting
- The board asked Ms. Barineau to contact Ms. Maura Scali-Sheahan and extend an invitation to her to be present at the next board meeting to discuss her comments regarding their legislative proposal
- The board asked Ms. Barineau to research the cost to mail a newsletter to all barbershops and report her findings at the next board meeting
- The board asked that the Unlicensed Activity Toll Free Telephone Number be included in the next board newsletter
- Chair Magda will provide Ms. Barineau with comments he received from barber practical examiners regarding the Casselberry examination site for forwarding to the Bureau of Education and Testing
- The board asked Ms. Barineau to contact the Bureau of Education and Testing for the pass/fail rates for practical examinations, by location, for the Casselberry and Tallahassee examination sites

- The board asked that Ms. Lyra Erath, Psychometrician, be present at the next board meeting to address any concerns they may have regarding the examination sites and the performance of the practical examinations
- The board will discuss the addition of the following language to Section 476.144(5), Florida Statutes:  
“The board shall adopt rules specifying procedures for the licensure by endorsement of practitioners desiring to be licensed in this state who hold a current active license or authorization to practice barbering in another state or country and who have met qualifications substantially similar to, equivalent to, or greater than the qualifications required of applicants from this stated.”
- The board asked Ms. Barineau to include Rule 61G3-19.011(3), F.A.C., relating to ensurance that hands are sanitized between patrons in the upcoming newsletter and relay this information to inspectors for communication to all barbershop owners and barber licensees
- The board asked Mr. Tunnicliff to ensure that whenever fines are paid, the payment should first be credited to the oldest outstanding payment due
- The board asked Mr. Tunnicliff to research the outstanding unpaid citations against Ground Zero Barbershop and report his findings at the next board meeting

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Robyn Barineau  
Executive Director  
February 20, 2006