

EXECUTIVE SUMMARY **Florida Barbers' Board**

I. General Information

Meeting Type:	General Business Meeting
Meeting Date:	Monday, November 7, 2011
Meeting Location:	Intercontinental Hotel 4860 West Kennedy Boulevard Tampa, Florida 33609

Attendees:

Herman White, Chair
Tommy Vaughn, Vice Chair
Andrew Raines
Julie Rivera
Eddie Stewart
Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Rachel Clark, Assistant Attorney General, Attorney General's Office
Kathleen Brown-Blake, Assistant General Counsel, DBPR
Dustin Metz, Assistant General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
John Miranda, Environmental Health Specialist, DBPR
Penny Appleton, Court Reporter
Other interested parties

II. Major Issues/Actions

- The board approved ten licensure applications, denied six licensure applications, and approved one continuing education course application.
- The board considered 14 disciplinary cases.
- Ms. Kathleen Brown-Blake, Assistant General Counsel, informed the board that there were 35 barbering cases in the Office of the General Counsel as of October 14, 2011.
- Ms. Brown-Blake introduced Mr. Dustin Metz, Assistant General Counsel, as the board's new prosecuting attorney. Ms. Brown-Blake informed the board that she has accepted a new position in the Department, and she thanked them for the opportunity to work with them. The board thanked Ms. Brown-Blake for her service and wished her well.
- Ms. Robyn Barineau, Executive Director, reported that the balance in the board's operation and unlicensed activity accounts as of June 30, 2011, was over \$812k and over \$273k, respectively. She also reported that the Department projects that the board's operating account will maintain a positive cash balance at least through June 30, 2016.
- Ms. Rachel Clark, Assistant Attorney General, informed the board that she received an email from the Governor's Office of Fiscal Accountability and Regulatory Reform (OFARR) commenting on the board's proposed amendment to Rule 61G3-16.005,

Florida Administrative Code – Endorsement. The board previously voted to amend this rule to eliminate the requirement for barbers endorsing from another state to go through the evaluation process; barbers endorsing from another country will still be required to go through the evaluation process. Ms. Clark added that OFARR indicated that the evaluation process for any applicant is oppressive. The board voted to continue to move forward with the rule amendment. Ms. Clark will keep the board apprised of its progress.

- The board agreed to repeal Rule 61G3-21.007, Florida Administrative Code – Stipulations, and that this repeal would have no negative impact on small business or would likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule repeal.
- The board agreed to open the following rules for development, they approved the proposed rule language, they agreed that these rule amendments would have no negative impact on small business or would likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule amendments, and they authorized staff to bring the rule amendments through the promulgation process to adoption:
 - 61G3-16.009, Florida Administrative Code – Requirements for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (AIDS):
 - (3) Courses may be presented as live presentation courses, ~~or~~ home study courses, or video courses. All home study courses shall include a written post-course examination which must be graded by the provider. Post-course examinations may be open-book examinations. Persons taking the course must achieve a 75% passing score on all post-course examinations in order to receive a certificate of completion.
 - 61G3-16.0091, Florida Administrative Code – Requirements for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) for Continuing Education:
 - (3) Courses may be presented as live presentation courses, ~~or~~ home study courses, or video courses. All home study courses shall include a written post-course examination which must be graded by the provider. Post-course examinations may be open-book examinations. Persons taking the course must achieve a 75% passing score on all post-course examinations in order to receive continuing education credit.
- The board agreed to withdraw the repeal of Rule 61G3-21.002, Florida Administrative Code – Aggravating and Mitigating Circumstances, as this rule should not have been marked as one for repeal.
- Chair Herman White informed the board that he and Mr. Andrew Raines represented the Florida Barbers' Board at the recent National Association of Barber Boards of America (NABBA) annual conference in Myrtle Beach, South Carolina. Chair White added that 38 states were represented at the conference, the entire conference was very informative, and he hoped that the board would be able to participate in upcoming conferences in Louisville, KY (2012) and Oklahoma City, OK (2013).
- Ms. Barineau reported the following future meeting dates and locations:
 - February 6, 2012 – Orlando
 - May 21, 2012 – Fernandina Beach
 - August 27, 2012 – Panama City
 - November 5, 2012 – Tampa or Orlando

III. Legislation/Rule Promulgation

- Ms. Clark will move forward with promulgation and development of Rule 61G3-16.005, Florida Administrative Code – Endorsement.
- Ms. Clark will move forward with the repeal of Rule 61G3-21.007, Florida Administrative Code – Stipulations.
- Ms. Clark will move forward with promulgation and development of Rules 61G3-16.009, Florida Administrative Code – Requirements for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (AIDS), and 61G3-16.0091, Florida Administrative Code – Requirements for Instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome (HIV/AIDS) for Continuing Education.

IV. Action Required

- Ms. Clark will prepare all final orders and forward them to board staff for filing with the Department's Agency Clerk.

Robyn Barineau
Executive Director
November 8, 2011