

EXECUTIVE SUMMARY

Board of Cosmetology

I. General Information

Meeting Type: General Business Meeting
Meeting Date: Monday, April 8, 2013, and
Tuesday, April 9, 2013
Meeting Location: Tampa Westshore Marriott
1001 Westshore Plaza
Tampa, Florida 33609

Attendees:

Myra Jowers, Chair
Ginny Fincel, Vice Chair
Laurel Ritenbaugh
Monica Smith
Suzanne Wilhoite
Robyn Barineau, Executive Director, Department of Business and Professional
Regulation (DBPR)
Douglas Dolan, Assistant Attorney General, Office of the Attorney General
Elizabeth Henderson, Assistant General Counsel, Office of the General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
Rob Darling, Court Reporter
Other Interested Parties

II. Major Issues/Actions

- The board considered 83 disciplinary cases.
- Ms. Elizabeth Henderson, Assistant General Counsel, reported that as of March 14, 2013, there were 499 cosmetology cases in the legal section.
- The board approved seven licensure applications and denied 20 licensure applications.
- The board tabled one licensure application until the July 2013 meeting and denied one licensure application.
- The board approved three initial HIV/AIDS course applications, approved 13 continuing education course applications, denied 15 continuing education course applications, approved four body wrapping course applications, denied three body wrapping course applications, approved nine hair braiding course applications, approved two hair braiding course applications, and approved two hair wrapping course applications.
- The board denied the request from LAKA USA for a variance and waiver of Rule 61G5-20.002, Florida Administrative Code – Salon Requirements – as they do not have standing to make such a request.
- Ms. Robyn Barineau, Executive Director, reported that the board's operating account balance at December 31, 2012, was over \$5.015 million, and the unlicensed activity account balance for the same period was over \$2.062 million. She added that the

Department projects that these two accounts will maintain a positive cash balance at least through June 30, 2016.

- Ms. Barineau informed the board that SB720 and HB1189 have been filed to deregulate hair braiders, hair wrappers, and body wrappers. She will keep the board informed on the progression of these bills.
- Mr. Douglas Dolan, Assistant Attorney General, reported on the following rule amendments. The board also agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.
 - Rule 61G5-18.007, Florida Administrative Code – Endorsement of Cosmetologists – in response to a letter from the Joint Administrative Procedures Committee (JAPC), renumbering was required and a citation reference was deleted;
 - Rule 61G5-20.0015, Florida Administrative Code – Performance of Cosmetology or Specialty Services Outside a Licensed Salon – in response to a JAPC letter, technical changes were made to include accurate citation references and correct a typographical error.
 - Rule 61G5-20.002, Florida Administrative Code – Salon Requirements – rule was amended to strike “sanitizers” and add “disinfecting solutions” in (3)(d) to conform with other changes recently made to this rule.
 - Rule 61G5-22.005, Florida Administrative Code – Sanitation and Sterilization – rule was amended to change “sterilization” to “disinfection” as referenced in other areas of the board’s rules, eliminate the referenced to “ultraviolet rays,” add additional terms to be defined by students, and decrease the number of methods of sanitation from five to four.
 - Rule 61G5-30.001, Florida Administrative Code – Disciplinary Guidelines – in response to a JAPC letter, current subsection (3) was stricken, and the remainder of the rule was renumbered.
 - Rule 61G5-30.004, Florida Administrative Code – Citations – rule was amended to conform with changes made to the salon requirements rule and to correct two sections of the rule that were duplicative.
 - Rule 61G5-30.006, Florida Administrative Code – Notice of Non Compliance – rule was amended to conform with changes made to the salon requirements rule.
 - Rule 61G5-31.004, Florida Administrative Code – Hair Braiding, Hair Wrapping, and Body Wrapping Course Requirements – in response to a JAPC letter, the rule was expounded to include the ability to offer courses online as referenced in the rule title.
 - Rule 61G5-32.001, Florida Administrative Code – Continuing Education – in response to a JAPC letter, standard cleaning information was amended from “including but not limited to” to “including,” form references were amended,, and citation references were amended.
- Ms. Barineau informed the board of the following meeting dates and locations:
 - July 15 and 16, 2013 – Orlando
 - October 21 and 22, 2013 – Altamonte Springs
 - January 13 and 14, 2014 – Fernandina Beach
 - April 7 and 8, 2014 – Tampa
 - July 14 and 15, 2014 – Orlando
 - October 20 and 21, 2014 – Gainesville.

III. Legislation/Rule Promulgation

- Mr. Dolan will move forward with the amendments to the following rules:
 - Rule 61G5-18.007, Florida Administrative Code – Endorsement of Cosmetologists
 - Rule 61G5-20.0015, Florida Administrative Code – Performance of Cosmetology or Specialty Services Outside a Licensed Salon
 - Rule 61G5-20.002, Florida Administrative Code – Salon Requirements
 - Rule 61G5-22.005, Florida Administrative Code – Sanitation and Sterilization
 - Rule 61G5-30.001, Florida Administrative Code – Disciplinary Guidelines
 - Rule 61G5-30.004, Florida Administrative Code – Citations
 - Rule 61G5-30.006, Florida Administrative Code – Notice of Non Compliance
 - Rule 61G5-31.004, Florida Administrative Code – Hair Braiding, Hair Wrapping, and Body Wrapping Course Requirements
 - Rule 61G5-32.001, Florida Administrative Code – Continuing.

IV. Action Required

- Mr. Dolan will prepare final orders from this meeting for filing with the Agency Clerk's Office.

Robyn Barineau
Executive Director
April 15, 2013