

1
2
3
4
5
6
7
8

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF BARBERS AND HAIRDRESSERS**

9
10
11
12

**MINUTES OF MEETING
November 20, 2019**

13
14

By the authority of AS 08.01.070(2) and AS 08.86.030 and in compliance with the provisions of AS 44.62 Article 6, a scheduled meeting of the Board of Barbers and Hairdressers was held via videoconference and teleconference Wednesday, November 20, 2019.

15
16
17

Item 1. Call to Order/Roll Call

18
19

The meeting of the Board of Barbers and Hairdressers was called to order by Jennifer Lombardo, Chair at 9:10 a.m. Members present were:

20
21
22

Item 1. Roll call

23
24
25

Board Members Present, constituting a Quorum:

26
27
28
29

Jennifer Lombardo, Industry License, Tattooist, Chairperson
Willie Canady (Mae), Hairdresser/Esthetician
Michelle McMullin, Nail Technician
Terriann Shell, Public Member
Kevin McKinley, Tattooist/Body Piercer/Permanent Cosmetic Colorist
Jessica Steele, Hairdresser @ 9:14am
Vershawn Idom (Shawn), Barber @10:31am

30
31
32

Present from the Division of Corporations, Business and Professional Licensing were:

33
34
35
36
37
38
39

Cynthia Spencer, Licensing Examiner
Glenn Hoskins, Assistant to the Commissioner
Sher Zinn, Regulation Specialist
Renee Hoffard, Records & Licensing Supervisor
Thomas Bay, Licensing Examiner
Sharon Walsh, Deputy Director
Dawn Bundick, Investigator

40
41

Item 2. Review/amend agenda

42
43
44

Board Chair, Jennifer Lombardo requested the board review the approved agenda and provide any amendments. Hearing no comments, the agenda was approved.

45
46
47

Item 3. Ethics Disclosure

The Board reviewed the provided ethics information. There were no ethics violations reported.

48 **Item 4. Division/Fiscal Update**

49
50 Sharon Walsh, Deputy Director joined the board to review the FY19 4th Quarter Report and FY20 1st
51 Quarter Reports.

52
53 The board thanked Ms. Walsh for her time.

54
55 **Item 5. Correspondence**

56
57 The Board reviewed correspondence submitted by Franz Sigel Shroy and Susan Shroy,
58 Owners/Operators of Shop and School, MetrOasis Advanced Training Center.

59
60 **Due to technical difficulties, the videoconference program, Zoom, crashed at 9:42 am, the board**
61 **continued the meeting using teleconference lines and Zoom was restored.**

62
63 Chairperson Ms. Lombardo asked Ms. Spencer if the October 7 and 8 draft meeting minutes were going
64 to be reviewed. Ms. Spencer stated that the meeting minutes would be reviewed during the February
65 11 and 12, 2020 meeting as to allow the board more time during this meeting to complete regulation
66 projects.

67
68 Ms. Lombardo asked Ms. Spencer to check the status of an informational email which was to be sent out
69 to all licensees which was discussed during the October 8, 2019 meeting (page 15 of draft minutes). Ms.
70 Spencer stated she would check on this and report back to the board during the February 2020 meeting.

71
72 **Due to technical difficulties, the videoconference program, Zoom, crashed again at 10:21 am, the board**
73 **continued the meeting using teleconference lines and Zoom was restored at 10:31 am.**

74
75 **Due to illness, licensing examiner Spencer left the meeting at 11:00 am; Records and Licensing**
76 **Supervisor Renee Hoffard assumed facilitation of the meeting.**

77
78 **Item 6. Statutes and Regulation Projects**

79
80 Sher Zinn, Regulation Specialist, greeted the board.

81
82 Ms. Lombardo and the board reviewed current statutes that need updating relating to Department of
83 Environmental Conservation (DEC) inspection changes, microblading, microneedling, 08.13.080,
84 08.13.160, 08.13.120, 08.13.082, and 08.13.220.

85
86 The board briefly discussed the provided documentation. Ms. Lombardo noted Michelle McMullin had
87 suggested a statutory change and asked Ms. McMullin to clarify.

88
89 Ms. McMullin stated statute 08.13.080(f)(3) reflects training must have been completed at a school and
90 leaving this verbiage "licensed school..." would contradict changes the board is suggesting by not
91 allowing for apprenticeship training. Ms. McMullin suggested the board change this language by adding
92 "or apprenticeship program" and eliminate the hour requirement in subsection (f)(3) by changing it to
93 read "in/through regulation".

94
95 Ms. Lombardo asked if the board would also like to move the 35 hour Hair Braiding course requirement
96 to regulation as well. The board agreed with this change.

98 Ms. Canady reported to the board that she has been successfully working with Legislators with
99 legislation/statutory changes/amendments that would add hair braiding back to the Barber license type,
100 remove microblading from the Tattooing license, and add microblading to the Permanent Cosmetic
101 Colorist license.
102

103 The board briefly discussed removing all training and hour requirements out of statute and adding them
104 to regulations as this would allow the board to make training requirement changes without statutory
105 changes. Most of the board agreed this is a needed change and update to current statutes. Ms. Canady
106 informed the board that the 35-hour requirement for Hair Braiding had been added through Senate Bill
107 (SB) 4 sponsored by Senator Peter Micciche's office; Ms. Canady went on to state that Senator
108 Micciche's office preferred the hour requirement in statute. Ms. Canady went on to inform the board
109 that to avoid any legislation hold ups, the board may need to compromise.
110

111 The board briefly discussed legislation and political processes.
112

113 Ms. Lombardo also informed the board she would like to update 08.13.130(a), display of license to add
114 "current"; Ms. Lombardo stated this change would assist licensees and investigative staff; "current"
115 should be added as follows (**bold underlined** indicates language added):

116 **Sec. 08.13.130. Display of license or permit.** (a) A practitioner shall display the practitioner's
117 **current** license in a conspicuous location in the practitioner's place of business. Each shop
118 owner is responsible for the conspicuous display of the shop's **current** license and the **current**
119 licenses of employees and individuals renting booths in the shop. A person holding a student
120 permit, temporary license, or temporary permit shall display the **current** permit or **current**
121 license in a conspicuous location in the school in which the person is enrolled or the shop in
122 which the person works. The school or shop owner is responsible for the display of a **current**
123 permit or **current** license for each enrolled student, apprentice, or temporary license holder.
124

125 Terriann Shell asked if the use of valid would be better than current? The board briefly discussed valid
126 vs current and decided to avoid confusion, current was the best language option.
127

128 Ms. Lombardo briefly reviewed the statute change worksheets in the meeting packet and briefly
129 reviewed the regulatory changes that would be needed if legislation passed. Ms. Lombardo went on to
130 state that these worksheets would be provided to the board again if legislation passes. Ms. Lombardo
131 asked the board if they wanted any further discussion relating to statute changes.
132

133 Ms. Zinn informed the board that 08.13.120(b) references regulation 12 AAC09.112; this would also
134 need to be removed as statutes should not reference regulations as regulations change all the time and
135 it would be extremely difficult to change a statute every time a regulation changed. Ms. Zinn suggested
136 the board use language which states "is defined in regulation by the board" or "defined by the board in
137 regulation".
138

139 **On a motion duly made by Terriann Shell, seconded by Michelle McMullin, and**
140 **approved by roll call vote, it was**

141
142 **RESOLVED to accepted suggested statute changes to be presented to the bill**
143 **sponsor.**
144

145 Ms. Lombardo asked the Board if they would like any further discussion; hearing none Ms. Lombardo
146 requested a roll call vote.

147 Ms. Shell stated that the board's website reflects active/current licenses and maybe that should be
148 reflected in suggested language to avoid confusion.

149

150

Roll Call Vote

151

152	NAME	YES	NO	ABSTAIN	Not in attendance
153	Terriann Shell	X			
154	Mae Canady	X			
155	Shawn Idom				X
156	Jennifer Lombardo	X			
157	Kevin McKinley	X			
158	Michelle McMullin	X			
159	Jessica Steele	X			

160

161

THE MOTION PASSED BY A MAJORITY VOTE.

162

163 Ms. Lombardo reviewed the follow up October 8, 2019 email correspondence from Director Sara
164 Chambers and previous Records and Licensing Supervisor, Dawn Hannasch's, statute and regulation
165 booklet notes which address regulation changes.

166

167 Ms. Lombardo asked if the division had any updates regarding the board's request to travel to Juneau
168 for the February 11 -12, 2020 meeting. Ms. Hoffard stated travel approval to Juneau for the February
169 2020 meeting had not yet been received. Ms. Hoffard assured the board that they would be notified as
170 soon as a decision was made.

171

172

Item 7. Statutes and Regulation Projects Cont.

173

174 The board reviewed the Barbers & Hairdressers Inspection form. Ms. Lombardo asked if there were any
175 additional changes or edits needed on the form.

176

177 Ms. Shell asked for clarification on the highlighted portions of the form. Ms. Bundick responded that
178 those sections indicate statutory or regulatory language that would need to be added once legislation
179 and regulations were adopted.

180

181 Ms. Lombardo asked the board if they needed further discussion on the form.

182

183 Ms. Lombardo stated that the board will be supervising health and sanitation inspections but how will
184 division, if violation(s) are found, enforce this.

185

186 Ms. Zinn responded that centralized statute, 08.01.087 allows Investigative staff to take action when
187 violation(s) are noted.

188

189 Mr. McKinley asked if the board would create a disciplinary matrix, similar to what the board has for
190 license violations, for investigations. The board briefly discussed the creation of a matrix and agreed
191 having a matrix for Investigative staff to use and that the board would work on this at a later date.

192

193 The board briefly discussed how inspections would be generated, would this be a complaint driven
194 process or similar to DEC which inspects shops on an annual basis.

195 The board and Ms. Bundick reviewed Article 4 of DEC requirements, critical and not critical
196 safety/sanitation issues, number of offences (i.e. first offense, send offense), and what fines seem
197 reasonable.
198

199 Mr. McKinley suggested the board read and review DEC regulations, Article 4. Ms. Lombardo agreed
200 and informed the board they should all read DEC Article 4 and Centralized Statute 08.01.087, familiarize
201 themselves with the regulation and statute, and begin to formulate how the board could adapt Article 4
202 to this board's inspections.
203

204 Ms. Lombardo stated that this would be on the February 2020 meeting agenda for discussion. Ms.
205 Lombardo informed the board that review the regulation and statute prior to the meeting would assist
206 the board in maintaining a streamlined and efficient meeting.
207

208 Ms. Lombardo asked if there was any further discussion regarding the proposed inspection form.
209 Hearing none, Ms. Lombardo asked for a motion to accept the drafted form.
210

211 **On a motion duly made by Kevin McKinley, seconded by Mae Canady, and approved by**
212 **roll call vote, it was**
213

214 **RESOLVED to accept the draft copy of the Alaska Department of Commerce,**
215 **Community and Economic Development Division of Corporations, Business and**
216 **Professional Licensing Health and Sanitation Barbers & Hairdressers Inspection form.**
217

218 Ms. Lombardo asked for further discussion on this motion.
219

220 Ms. McMullin asked if the board was adopting the drafted form or accepting a drafted form. The board
221 discussed this and made the following amendment.
222

223 **On a motion duly made by Mae Canady, seconded by Kevin McKinley, and approved by**
224 **roll call vote, it was**
225

226 **RESOLVED to accept the November 20, 2019 draft of the Alaska Department of**
227 **Commerce, Community and Economic Development Division of Corporations,**
228 **Business and Professional Licensing Health and Sanitation Barbers & Hairdressers**
229 **Inspection form.**
230

231 Ms. Lombardo asked the Board if they would like any further discussion; hearing none Ms. Lombardo
232 requested a roll call vote.
233

234 **Roll Call Vote**
235

236	NAME	YES	NO	ABSTAIN	Not in attendance
237	Terriann Shell	X			
238	Mae Canady	X			
239	Shawn Idom				X
240	Jennifer Lombardo	X			
241	Kevin McKinley	X			
242	Michelle McMullin	X			
243	Jessica Steele	X			

244
245 **THE MOTION PASSED BY A MAJORITY VOTE.**

246 The board asked for clarification regarding the Regulation Worksheet provided in their packet. Ms. Zinn
247 responded that the form which had been submitted for previous regulation project(s) was outdated and
248 the form in this meeting packet was the current form. Ms. Zinn went on to state the board did not need
249 to complete this form at this time, however the form should be in every meeting packet and must be
250 completed for each regulation project the board proposes.

251

252 Ms. Lombardo asked for clarification regarding regulation reform; since the last meeting an email
253 communication from Director Chambers the board should just work on inspection regulations. Ms.
254 Lombardo stated she had responded to the email asking for clarification but had not yet received a
255 response. Ms. Hoffard stated she agreed with Ms. Lombardo's statement, the board should complete
256 this current regulation project before adding new projects.

257

258 Ms. Canady asked the board if they could post a position statement on the web regarding dermaplaning
259 and what licensee(s) can provide this service. Ms. Canady also recommended the board work on
260 updating the esthetician curriculum to make it current.

261

262 Ms. Canady and the board discussed that Esthetician text book(s) provide training information for
263 chemical peels and dermaplaning, for example, but this board does not allow licensees to practice.

264

265 The board asked Ms. Bundick if she's received complaints relating to dermaplaning services or had any
266 information. Ms. Bundick informed the board that the October 2012 meeting is the only discussion from
267 the board regarding dermaplaning and that licensed barbers would be the only licensee that could
268 provide this service.

269

270 The board discussed creating a position statement addressing dermaplane services. Ms. Lombardo
271 asked Ms. McMullin to make notes about this issue and bring it back to the board at the February 2020
272 meeting.

273

274 The board thanked Ms. Zinn for her time and assistance.

275

276 Ms. Lombardo asked if Ms. Shell has written a position statement addressing hair and face painting. Ms.
277 Shell stated she would submit a written statement for the February 2020 meeting.

278

279 Ms. Lombardo asked the board if they would like any further discussions before adjourning.

280

281 Mr. McKinley asked if the board would like to address the correspondence item in the meeting packet
282 regarding examinations. Ms. Lombardo responded that with the current regulation project the board
283 must complete and previous discussions regarding eliminating the practical examinations, tabling this
284 discussion until the February 2020 meeting would allow more time for a thorough discussion.

285

286 Mr. McKinley suggested that the board consider running town hall meetings using Zoom as this would
287 allow the board and public more opportunities to participate. The board discussed town hall meeting
288 platform options and locations. Ms. Bundick informed the board that after the last two town hall
289 meetings she received several communications from the public which reflected the face to face meeting
290 were appreciated as it allowed those without internet capabilities to participate and meeting board
291 members in a face to face setting was appreciated. Ms. Lombardo assured the board scheduling a May
292 2020 town hall meeting would be on the February 2020 agenda.

293

294 Ms. Zinn informed the board that another way for the board to obtain public input on regulation
295 projects; they could request a public comment notice for comments before officially public noticing

296 regulations, Ms. Zinn stated that this process is recommended by the Department of Law. Ms. Hoffard
297 pulled up the Real Estate Commission's website to show the board a sample of the request.

298
299 *The Board adjourned at 12:20 p.m.*

300
301 Respectfully submitted:

302
303 _____ /s/
304 Cynthia Spencer, Licensing Examiner

305
306 Approved:

307
308 _____ /s/
309 Jennifer Lombardo, Chairperson
310 Board of Barbers and Hairdressers

311
312 Date: February 12, 2020