

BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, March 13, 2023, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following board members were present:

Matthew D. Roberts
Margaret B. LaPierre
Gregory Edwards
Claudia Espinoza
Emmanuel Gayot
Renee Gilanshah
Sandra G. Smith

DPOR staff present for all, or part of the meeting included:

Stephen Kirschner, Deputy Director, Licensing & Regulatory Programs
Tamika Rodriguez, Regulatory Operations Administrator
Heather Garnett, Administrative Coordinator
Wendy Duncan, Licensing Operations Administrative

A representative from the Office of the Attorney General was not present for the meeting.

Mr. Roberts, Chair, determined a quorum was present and called the meeting to order at 9:11 a.m. Call to Order

Wendy Duncan introduced DPOR staff members, Cheryl Jones; Licensing Specialist, and Lori Looney; Licensing Specialist.

The Board took the agenda under consideration.

Approval of
Agenda

Upon a motion by Ms. LaPierre and second by Mr. Edwards, the Board voted to adopt the agenda.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Mr. Roberts, Ms. Espinoza, Ms. Gilanshah, and Ms. Smith. There were no negative votes. The motion passed unanimously.

The Board took the minutes of January 9, 2023, Board Meeting under consideration.

Approval of
Minutes

Upon a motion by Ms. LaPierre and seconded by Mr. Edwards, the Board voted to approve the minutes.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Mr. Roberts, Ms. Espinoza, Ms. Gilanshah, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Mr. Kirschner provided the Board with an email from Ajia Minnis Cruz Lanham, owner of Thrive Hair Bar in Arlington, Virginia expressing concerns regarding natural hair health and care.

Communication

9:15 a.m. Board member Mr. Gayot arrived at the meeting.

Jamie Turgeon addressed the Board about the challenges involved in obtaining a new license after receiving a license under grandfather provisions.

Public Comment

Jonathan Melloul addressed the Board concerning the reduction in cosmetology training hours.

Cases

In the matter of **File Number 2022-02370, ACCH Beauty Academy LLC**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2022-02370, ACCH Beauty Academy LLC

A qualified ACCH Beauty Academy LLC representative did not appear at the meeting.

Upon motion by Ms. LaPierre and seconded by Mr. Edwards, the Board voted to accept the recommendation which cites:

| | |
|------------------------------------|-------------------|
| Count 1: 18 VAC 41-20-280.6 | \$2,250.00 |
| Count 2: 18 VAC 41-20-280.4 | \$1,400.00 |
| Count 3: 18 VAC 41-20-280.4 | \$1,400.00 |
| <u>Count 4: 18 VAC 41-20-280.4</u> | <u>\$1,400.00</u> |
| Subtotal (monetary penalties) | \$6,450.00 |
| Board costs | \$ 150.00 |
| Total | \$6,600.00 |

In addition, revocation of license for violation of Counts 1,2,3, and 4. The Board members voting “yes” were Ms. LaPierre, Mr. Edwards, Mr. Roberts, Ms. Espinoza, Ms. Gilanshah, Mr. Gayot, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2023-00336, Martha's Beauty Salon LLC**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2023-00336, Martha's Beauty Salon LLC

A qualified Martha's Beauty Salon LLC representative did not appear at the meeting.

Upon motion by Ms. LaPierre and seconded by Mr. Edwards, the Board voted to accept the recommendation which cites:

| | |
|--------------------------------------|-----------------|
| Count 1: 18 VAC 41-20-280.14 | \$950.00 |
| Count 2: 18 VAC 41-20-260.A | \$100.00 |
| Count 3: 18 VAC 41-20-270.E.1 | \$100.00 |
| Count 4: 18 VAC 41-20-270.I | \$ 50.00 |
| Count 5: 18 VAC 41-20-270.C.4 | \$100.00 |
| Count 6: 18 VAC 41-20-270.B.7 | \$150.00 |
| <u>Count 7: 18 VAC 41-20-270.E.2</u> | <u>\$100.00</u> |
| Subtotal (monetary penalties) | \$1,550.00 |
| Board costs | \$ 150.00 |
| Total | \$1,700.00 |

The Board members voting "yes" were Ms. LaPierre, Mr. Edwards, Mr. Roberts, Ms. Espinoza, Mrs. Gilanshah, Mr. Gayot, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-02036, Niccolo Bonifacio Asperrelli**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2021-02036, Niccolo Bonifacio Asperrelli

Niccolo Bonifacio Asperrelli did not appear at the meeting in person, by counsel, or by any other qualified representative.

Upon a motion by Mr. Edwards and seconded by Ms. Espinoza, the Board voted to reject the recommendation and deny the application based upon the Agency Record including the consideration of the criteria outlined in the Code of Virginia 54.1-204.B, specifically the nature and seriousness of the crime, the extent to which the occupation or profession might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved, the relationship of the crime to the ability, capacity or fitness required to perform the duties and discharge the responsibilities of the occupation or profession, and the extent and nature of the person's past criminal activity.

The Board members voting “yes” were, Mr. Edwards, Ms. Espinoza, Mrs. Gilanshah, Mr. Gayot, and Ms. Smith. The Board members voting “no” were, Mr. Roberts and Ms. LaPierre. The motion passed.

In the matter of **File Number 2021-01041, Amie Grant**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2021-01041, Amie Grant

Amie Grant appeared at the meeting in person and addressed the Board.

Upon a motion by Ms. Gilanshah and seconded by Mr. Edwards, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Amie Grant’s application for Tattoo License.

The Board members voting “yes” were Ms. LaPierre, Mr. Edwards, Mr. Roberts, Ms. Espinoza, Mrs. Gilanshah, Mr. Gayot, and Ms. Smith. There were no negative votes. The motion passed unanimously.

EXAMINATIONS

Ms. Duncan provided a report on exam statistics.

Statistics

Ms. Gilanshah requested a review of the Permanent Cosmetic Tattoo exam. Mr. Kirshner responded the NIC exam is given, and Staff will review the State exam next calendar year.

REGULATORY ACTION AND BOARD GUIDANCE

Ms. Rodriguez informed the Board of the current regulatory actions:

Regulatory Report

- Tattoo regulations are in the final stages at the Governor’s office. The instructor regulations are in the proposed stages at the Governor’s office.
- Lowering cosmetology training to 1000 hours will move to the proposed regulatory phase after the Board approves or deny the responses to the public comment.

Mr. Kirshner informed the Board of the current regulatory action: The Governor’s office requested changes to the Instructor and tattoo regulations. These changes will be discussed at the next Board meeting.

Mr. Kirschner informed the Board the General Assembly passed a Universal License Recognition bill which will take effect on July 1, 2023. This bill has added two new pathways for licensure.

Legislative Report

Ms. Rodriguez presented the proposed responses to public comment for lowering the cosmetology training to 1000 hours regulatory action.

**Responses to
Cosmetology
Hours NOIRA
Public Comments**

The Board discussed public comments and amended the proposed responses.

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to adopt the amended responses.

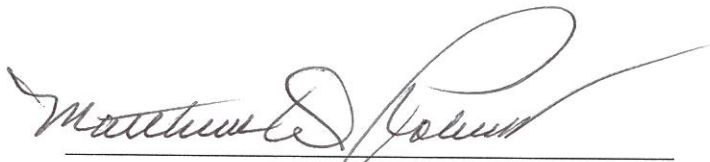
The Board members voting “yes” were Ms. LaPierre, Mr. Edwards, Mr. Roberts, Ms. Espinoza, Mrs. Gilanshah, Mr. Gayot, and Ms. Smith. There were no negative votes. The motion passed unanimously.


NEW BUSINESS

There was no new business.

Adjourn

There being no further business to be brought before the Board, Mr. Roberts adjourned the meeting at 10:59 a.m.


Matthew Roberts, Board Chair


Demetrios J. Melis, Board Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name Matthew Roberts
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Board for Barbers and Cosmetology
(Name of Board)

4. Meeting/IFF Date: 03/13/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

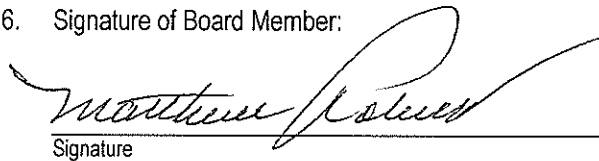
B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

D. I am able to participate in this transaction fairly, objectively, and in the public interest. or

I did not participate in the transaction.

6. Signature of Board Member:


Signature

3-13-23
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name Gregory Edwards
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Barbers and Cosmetology
(Name of Board)
4. Meeting/IFF Date: 03/13/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
 Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
 I did not participate in the transaction.

6. Signature of Board Member:



Signature

13th Mar 23

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name Emmanuel Gayot
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Barbers and Cosmetology
(Name of Board)
4. Meeting/IFF Date: 03/13/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
 Yes - If yes, please answer the following questions.

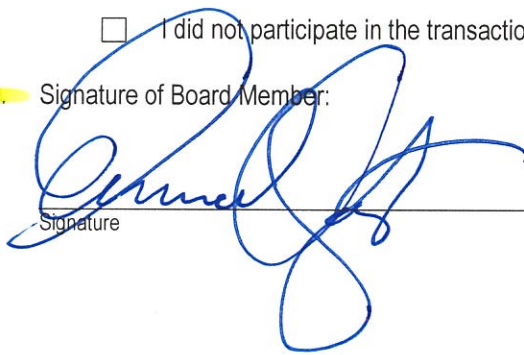
A. _____
(Agenda Item)

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- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
 I did not participate in the transaction.

6. Signature of Board Member:


Signature

March 13, 2023
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name Margaret LaPierre
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Barbers and Cosmetology
(Name of Board)
4. Meeting/IFF Date: 03/13/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
 Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
 I did not participate in the transaction.

6. Signature of Board Member:

Margaret B LaPierre
Signature

3/13/2023
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name Sandra Smith
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Board for Barbers and Cosmetology
(Name of Board)

4. Meeting/IFF Date: 03/13/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

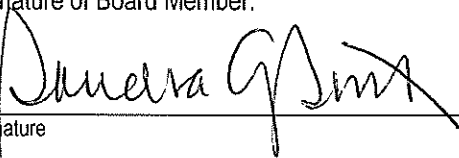
A. _____
(Agenda Item)

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- I did not participate in the transaction.

6. Signature of Board Member:


Signature

3/13/2023
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name Claudia Espinoza
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Barbers and Cosmetology
(Name of Board)
4. Meeting/IFF Date: 03/13/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

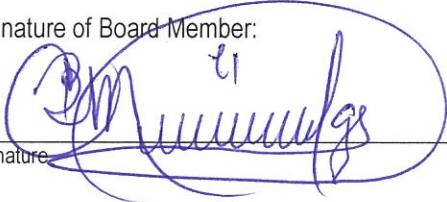
B. Nature of Personal Interest Affected by Transaction:

C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

D. I am able to participate in this transaction fairly, objectively, and in the public interest. or

I did not participate in the transaction.

6. Signature of Board Member:


Signature _____ Date _____

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name Renee Gilanshah
(Name of Board Member)

2. Title: Board Member

3. Agency: DPOR/Board for Barbers and Cosmetology
(Name of Board)

4. Meeting/IFF Date: 03/13/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)


B. Nature of Personal Interest Affected by Transaction:

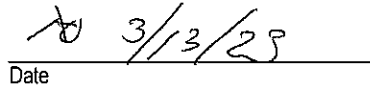
C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

D. I am able to participate in this transaction fairly, objectively, and in the public interest. or

I did not participate in the transaction.

6. Signature of Board Member:


Signature


Date