

BOARD FOR BARBERS AND COSMETOLOGY

REGULATORY REVIEW COMMITTEE

MINUTES OF MEETING

The Board for Barbers and Cosmetology, Regulatory Review Committee met on Tuesday, August 6, 2024, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 1st Floor Training Room, Richmond, Virginia.

The following committee members were present:

Margaret LaPierre
Marques Blackmon
Emmanuel Gayot
Claudia Espinoza

The following committee members were not present:

Tina Dang
Gregory Edwards

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

Stephen Kirschner, Deputy Director, Licensing and Regulatory Programs
Kelley Smith, Executive Director
Tamika Rodriguez, Regulatory Operations Administrator
Wendy Duncan, Licensing Operations Administrator
Heather Garnett, Administrative Coordinator

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

Ms. LaPierre, Board Chair, called the Board for Barbers and Cosmetology, Regulatory Review Committee meeting to order at 10:08 a.m.

Call to Order

Ms. LaPierre announced several meeting reminders.

Ms. Smith, Executive Director, explained the emergency egress procedure for Training Room 1.

Emergency Egress

The Committee took the agenda under consideration.

Approval of Agenda

Mr. Gayot motioned to approve the agenda, seconded by Mr. Blackmon. The members voting “yes” were, Ms. LaPierre, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carried.

Ms. LaPierre opened the Public Comment period of the Regulatory Review Committee Meeting.

Public Comment

Matt England addressed the Committee stating barriers have increased for students and instructors and previously licensed schools should not bear the burden for new schools.

Jonathan Melloul thanked the Committee for reviewing the definitions of Cosmetologist and Cosmetology and stated concerns of shaving in the regulation.

Ms. Smith stated during the July 8, 2024, Board for Barbers and Cosmetology board meeting the proposal from Mr. Melloul concerning the definitions Cosmetologist and Cosmetology was referred to the Regulatory Review Committee.

The Committee discussed the section of the definition of Cosmetologist and Cosmetology that addresses “shaves”.

Upon consensus, the Committee recommended to amend the definition of Cosmetologist and Cosmetology to replace “shaves” with “trims.” The intent of the Committee was to exclude not only straight razor shaving but any type of shaving of the skin from the cosmetology scope of practice. The Committee also recommended requiring students that received training prior to and under the new 1000-hour curriculum to continue the practice of shaving by passing the barbering exam and obtaining a barber license.

Break from 12:08 – 12:17 p.m.

The Committee discussed the section of the definition of Cosmetologist and Cosmetology that addresses “cosmetic treatments.”

Upon consensus, the Committee recommended to amend the cosmetology scope of practice that addresses “cosmetic treatments” should be restricted to basic procedures and utilize the following language:

"Cosmetologist" means any person who administers ~~cosmetic treatments~~ hair removal, basic facial treatments to enhance or improve the appearance and/or care of the skin, using lotions, oils, cleansers, or other preparations by manual practices only; manicures or pedicures the nails of any person; arranges, dresses, curls, waves, cuts, shapes, singes, waxes, tweezes, ~~shaves~~, trims, bleaches, colors, relaxes, straightens, or performs similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances unless such acts as adjusting, combing, or brushing prestyled wigs or hairpieces do not alter the prestyled nature of the wig or hairpiece, and

**Review -
Definitions of
Cosmetologist
and Cosmetology
in §54.1-700 of
the Code of
Virginia**

Recess

**Continued
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practices cosmetology for compensation. The term "cosmetologist" shall not include hair braiding upon human hair, or a wig or hairpiece.

"Cosmetology" includes, but is not limited to, the following practices: ~~administering cosmetic treatments~~ administering hair removal, basic cleansing facial treatments to enhance or improve the appearance and/or care of the skin and only includes a cleanse, tone, application of a mask and/or moisturizer; manicuring or pedicuring the nails of any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, ~~shaving~~ trimming, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair braiding upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

Mr. Blackmon motioned to approve the proposed changes made to the definition of Cosmetologist and Cosmetology and seconded by Ms. Espinoza.

There was no discussion by the Committee.

The members voting "yes" were, Ms. LaPierre, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carried.

The recommendation of this Committee will be presented to the full Board for consideration at the next full business meeting of the Board.

Ms. LaPierre reminded the Committee of the next Board meeting scheduled for September 30, 2024.

Reminders

There being no further business, the meeting adjourned at 12:49 p.m.

Adjourn

Margaret LaPierre, Board Chair

Brian Wolford, Interim Director