

**BOARD FOR BARBERS AND COSMETOLOGY
TENTATIVE AGENDA**

Monday, March 9, 2020 – 9:00 a.m., Board Room 4, 2nd Floor
Department of Professional and Occupational Regulation, 9960 Mayland Drive
Richmond, Virginia 23233 804-367-8590

I. CALL TO ORDER

II. APPROVAL OF AGENDA

1. Board for Barbers and Cosmetology Board Meeting Tentative Agenda, March 9, 2020

III. APPROVAL OF MINUTES

2. Board for Barbers and Cosmetology Meeting Draft Minutes, January 13, 2020

IV. COMMUNICATIONS

3. Email from Leandra Doucet in support of reducing cosmetologist training hours
4. Email from Kelvin L. Rosado regarding safety and sanitation for barbers

V. PUBLIC COMMENT PERIOD *

VI. CASES

- | | | | |
|-----|------------|-----------------------|---------------|
| 5. | 2016-02955 | Anh Phung Duong | Consent Order |
| 6. | 2016-03046 | Bounheuang Fanekham | Consent Order |
| 7. | 2016-03053 | Chau Kim Ly | Consent Order |
| 8. | 2016-03070 | Kimnai Suon | Consent Order |
| 9. | 2016-03151 | Lien Nhuan Do | Consent Order |
| 10. | 2016-03237 | Thuy Trang Thi Huynh | Consent Order |
| 11. | 2016-02934 | Thanh Thuy Thi Le | Prima Facie |
| 12. | 2016-02946 | Andy Phan | Prima Facie |
| 13. | 2016-02961 | My Tien Thi Tran | Prima Facie |
| 14. | 2016-02965 | Ann-Pham Nguyet Quach | Prima Facie |
| 15. | 2016-02977 | Ivy Ton | Prima Facie |
| 16. | 2016-03032 | Thi Mai Nguyen | Prima Facie |
| 17. | 2016-03079 | Lam Thi Thao Pham | Prima Facie |
| 18. | 2016-03204 | Phuong Ngoc Huynh | Prima Facie |
| 19. | 2016-03221 | Thuy-Huyen T. Bach | Prima Facie |
| 20. | 2016-03241 | Thuy Chau Khanh Do | Prima Facie |
| 21. | 2016-03244 | Thuy T. Dao | Prima Facie |
| 22. | 2016-03253 | Thy T. Dang | Prima Facie |
| 23. | 2016-03271 | Giang Tran Huong Le | Prima Facie |
| 24. | 2016-03286 | Minh Duy Nguyen | Prima Facie |
| 25. | 2016-03308 | Daniel Nguyen | Prima Facie |
| 26. | 2016-03327 | Toan Thanh Nguyen | Prima Facie |

27. 2016-03383	Phuong T. Tran	Prima Facie
28. 2016-03415	Sum Thi Tran	Prima Facie
29. 2016-03425	Tam Minh Tran	Prima Facie
30. 2016-03435	Vivian Phuong Tran	Prima Facie
31. 2016-03446	Vy Thuy Hoang	Prima Facie
32. 2016-03464	Yen Van Nhuc	Prima Facie
33. 2017-02273	Tam Thi Nguyen	Prima Facie
34. 2017-02300	Sonita Chea	Prima Facie
35. 2017-02423	Bach Tuyet Thi Tran	Prima Facie
36. 2017-02425	Tien Hong Nguyen	Prima Facie
37. 2020-00365	Luis F. Gonzalez Diaz	Licensing
38. 2020-01028	Russell Thomas Lucas	Licensing

VII. EXAMINATIONS

A. STATISTICS

B. REPORT ON EXAMINATION VENDOR TRANSITION

VIII. REGULATORY ACTION AND BOARD GUIDANCE

A. LEGISLATIVE REPORT

B. REGULATORY REPORT

C. REGULATORY ACTION - TEMPORARY FEE REDUCTION EXTENSION

IX. NEW BUSINESS

X. ADJOURN

* 5-minute public comment, with the exception of any open disciplinary files. Persons desiring to attend the meeting and requiring special accommodations and/or interpretive services should contact the Board Office at (804) 367-8590 at least ten (10) days before the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department and Board fully comply with the Americans with Disabilities Act.

NEXT MEETING DATE: May 11, 2020

REMAINING 2020 MEETING DATES:

July 13, 2020

September 14, 2020

November 9, 2020

BOARD FOR BARBERS AND COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, January 13, 2020, 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:

Gilda Acosta
Oanh Pham Kim Dang
Renee' H. Gilanshah
Margaret B. LaPierre
Alfred O. Mayes
Lonnie Quesenberry
Matthew D. Roberts

The following board members were not present:

Darrin L. Hill
Anne R. McCaffrey
Josie R. Mace

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

Mary Broz-Vaughan, Agency Director
Stephen Kirschner, Executive Director
Tamika Rodriguez, Licensing Operations Administrator
Cathy Clark, Administrative Assistant

Representative from the Office of the Attorney General was present for all or part of the meeting by telephone:

Elizabeth Peay, Assistant Attorney General

Ms. LaPierre, Chair, determined a quorum was present and called the meeting to order at 9:17 a.m.

Call to Order

The Board took the agenda under consideration. Ms. LaPierre asked for any amendments. Mr. Kirschner indicated that three cases were removed from the Tentative Agenda after it was distributed to the Board. The cases, removed due to the lack of delivery confirmation, were 2016-02961, My Tien Thi Tran; 2016-03070, Kimnai Saon; and 2016-03415, Sum Thi Tran. In addition, Mr. Kirschner advised that Case 2016-03144, Le Hang T. Nguyen (Item #18 on the Tentative Agenda) was removed as the respondent has requested an IFF Conference.

**Approval of
Agenda**

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to adopt the amended Agenda.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

The Board took the minutes of the November 18, 2019 Board Meeting, the November 18, 2019 Standing Committee on Training Meeting, and the December 2, 2019 Tattoo and Body Piercing Regulations Committee Meeting under consideration. Ms. LaPierre asked for any amendments. There were none.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to approve the minutes.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Kirschner introduced seven written communications, two of which were included in the electronic agenda provided to the Board in advance, and five of which were received at later dates and provided to the Board for its review at the meeting. Mr. Kirschner then afforded the Board an opportunity to review the communications, which included (1) an Email from Chris LeRoy, dated November 20, 2019 regarding microneedling; (2) a news release dated November 26, 2019 from the National Interstate Council of State Boards of Cosmetology [NIC]; (3) a letter dated January 6, 2020 from Jonathan Melloul of Sylvain Melloul International Hair Academy opposing the proposed legislation to reduce cosmetologist training hours to 1,000; (4) a letter dated January 10, 2020 from Katherine Hoover, cosmetology instructor, opposing the proposed legislation to reduce cosmetologist training hours to 1,000; (5) a letter dated January 13, 2020 from Morgan R. Thompson of Staunton School of Cosmetology opposing the proposed legislation to reduce cosmetologist training hours to 1,000; (6) a letter received January 13, 2020 from Beverley Davidson of Staunton School of Cosmetology opposing the proposed legislation to reduce cosmetologist training hours to 1,000; and (7) an email from Bryant Murphy, cosmetology instructor, opposing the proposed legislation to reduce cosmetologist training hours to 1,000 (See **ADDENDUM 1** for all communications).

Ms. LaPierre asked if there was any public comment.

Maria Guertler of Staunton School of Cosmetology addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

Approval of Minutes for the November 18, 2019 Board Meeting and Standing Committee on Training Meeting and the December 2, 2019 Tattoo and Body Piercing Regulations Committee Meeting

Communications

Public Comment

Lisa Hall, a barber from Lorton, addressed the Board regarding unlicensed barber activity in the state, barbers who are performing services outside their scope of practice, and the need to raise the standards for barbering in the state.

Douglas Worrall of Rudy & Kelly Academy addressed the Board regarding his opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

Elizabeth Meade of Paul Mitchell The School Roanoke addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

Lisa Agnes of Paul Mitchell The School Roanoke addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

Hannah Agnes, a student at Paul Mitchell The School Roanoke, addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000 and inadequacies in the cosmetology vocational programs in Virginia high schools.

Andrea Sorrell of Paul Mitchell The School Roanoke addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000 and added comments about the impact a reduction in training hours would have on the portability of a Virginia cosmetology license to other states.

Bridgette Craighead, a student at Paul Mitchell The School Roanoke addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

Mollie Castañeda, a student at Paul Mitchell The School Roanoke addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

Nathaniel Lee, a graduate of Paul Mitchell The School Roanoke, addressed the Board regarding his opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

Nikki Coleman of Rudy & Kelly Academy addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

Laura Todd, Master Esthetics Instructor at LAT Inc. addressed the Board on the topic of transfer hour requirements, and recommended that the Board consider allowing schools to accept transfers of up to 50% of the total required

hours for all Board for Barbers and Cosmetology professions.

Kristen Kent of Rudy & Kelly Academy addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000 and provided the Board members with two graphics of maps supporting her comments.

Christine Werne of The Chrism Institute of Esthetics addressed the Board on the topic of transfer hour requirements and expressed her opposition to removing restrictions on the number of hours that may be transferred. She also addressed the pending fast-track legislation regarding apprenticeship license display.

Jonathan Melloul of Sylvain Melloul International Hair Academy addressed the Board regarding his opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

John Turnage partner of Paul Mitchell The School and cosmetology schools in several states, including Texas, addressed the Board regarding his opposition to the proposed legislation to reduce cosmetologist training hours to 1,000, citing the negative impact resulting from Texas' reduction of cosmetologist training hours to 1,000.

Caitlin Mack of Paul Mitchell The School Roanoke addressed the Board regarding her opposition to the proposed legislation to reduce cosmetologist training hours to 1,000.

Ms. Dang recused herself from the meeting

In the matter of **File Number 2016-02985, Ba Thi Nguyen**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Ba Thi Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

Concerning Count 1, upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Ba Thi Nguyen violated the following section of its Regulations:

Count 1: 18 VAC 41-20-280.A.3

Cases

Ms. Dang Recused

File Number 2016-02985, Ba Thi Nguyen

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Mr. Roberts and seconded by Mr. Mayes, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3 (3 violations - \$2,250 each)	\$ 6,750.00
TOTAL (MONETARY PENALTIES)		\$ 6,750.00

In addition, the Board imposes revocation of Ba Thi Nguyen's cosmetologist license number 1201120062 for violations of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Ms. Dang was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2016-03225, Thuy T. Bui**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Thuy T. Bui appeared at the meeting in person and addressed the Board.

File Number 2016-03225, Thuy T. Bui

Concerning Count 1, upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Thuy T. Bui violated the following section of its Regulations:

Count 1:	18 VAC 41-20-280.A.3
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The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the

following sanction(s):

Count 1:	18 VAC 41-20-280.A.3 (3 violations - \$2,250 each)	\$ 6,750.00

TOTAL (MONETARY PENALTIES)		\$ 6,750.00

In addition, the Board imposes revocation of Thuy T. Bui's cosmetologist license number 1201118886 for violations of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Ms. Dang was not present, did not participate in the discussion, and did not vote on this matter.

Ms. Dang returned to the meeting.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to consider the seven (7) Consent Order cases as a block.

**Board Considers
and Accepts
Consent Order
Cases As Block**

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Mayes and seconded by Mr. Roberts, the Board voted to accept the seven (7) Consent Orders.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02932, Than Truc Thi Hunh**, the Board reviewed the record, which consisted of the Consent Order. Than Truc Thi Hunh did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number 2016-
02932, Than Truc
Thi Hunh**

By signing the Consent Order, Than Truc Thi Hunh acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3 (Four Violations)	\$ 1,500.00
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SUB-TOTAL (MONETARY PENALTIES)	\$ 1,500.00
BOARD COSTS	\$ 150.00
TOTAL	\$ 1,650.00

In addition, for violation of Count 1, Thanh Truc Thi Huynh agrees to revocation of her Cosmetologist license, Number 1201118954.

Upon a motion by Mr. Mayes and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02952, Huong T. Nguyen**, the Board reviewed the record, which consisted of the Consent Order. Huong T. Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-02952, Huong T. Nguyen

By signing the Consent Order, Huong T. Nguyen acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00
SUB-TOTAL (MONETARY PENALTIES)		\$ 2,250.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 2,400.00

In addition, for violation of Count 1, Huong T. Nguyen agrees to revocation of her Cosmetologist license, Number 1201112790.

Upon a motion by Mr. Mayes and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03008, Thao Phuong Huynh**, the Board reviewed the record, which consisted of the Consent Order. Thao Phuong Huynh did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03008, Thao Phuong Huynh

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.
DRAFT AGENDA

By signing the Consent Order, Thao Phuong Huynh acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 1,500.00

SUB-TOTAL (MONETARY PENALTIES)		\$ 1,500.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 1,650.00

In addition, for violation of Count 1, Thao Phuong Huynh agrees to revocation of her Nail Technician license, Number 1206019151

Upon a motion by Mr. Mayes and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03264, Tuyen Anh-Thanh Nguyen**, the Board reviewed the record, which consisted of the Consent Order. Tuyen Anh-Thanh Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03264, Tuyen Anh-Thanh Nguyen

By signing the Consent Order, Tuyen Anh-Thanh Nguyen acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3 (Two Violations)	\$ 0.00

SUB-TOTAL (MONETARY PENALTIES)		\$ 0.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 150.00

In addition, for violations of Count 1, Tuyen Anh-Thanh Nguyen agrees to revocation of her Nail Technician license, Number 1206017345.

Upon a motion by Mr. Mayes and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms.

LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03290, Tuyet Ngat Nguyen**, the Board reviewed the record, which consisted of the Consent Order. Tuyet Ngat Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03290, Tuyet Ngat Nguyen

By signing the Consent Order, Tuyet Ngat Nguyen acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3 (Four Violations)	\$ 0.00
SUB-TOTAL (MONETARY PENALTIES)		\$ 0.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 150.00

In addition, for violations of Count 1, Tuyet Ngat Nguyen agrees to revocation of her Cosmetologist license, Number 1201109786.

Upon a motion by Mr. Mayes and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02266, Thuy-Van Thi Nguyen**, the Board reviewed the record, which consisted of the Consent Order. Thuy-Van Thi Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-02266, Thuy-Van Thi Nguyen

By signing the Consent Order, Thuy-Van Thi Nguyen acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 1,500.00
SUB-TOTAL (MONETARY PENALTIES)		\$ 1,500.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 1,650.00

In addition, for violation of Count 1, Thuy-Van Thi Nguyen agrees to revocation of her Cosmetologist license, Number 1201110934.

Upon a motion by Mr. Mayes and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2019-02643, Top Nails II LLC, dba Top Nails**, the Board reviewed the record, which consisted of the Consent Order. Top Nails II LLC did not appear at the meeting in person, by counsel, or by any other qualified representative. **File Number 2019-02643, Top Nails II LLC, dba Top Nails**

By signing the Consent Order, Top Nails II LLC acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.14	\$ 1,500.00

SUB-TOTAL (MONETARY PENALTIES)		\$ 1,500.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 1,650.00

In addition, for violation of Count 1, Top Nails II LLC agrees to a two (2) year probation of its Nail Salon license #208003183 as of the effective date of this Order. During this two (2) year probation, Top Nails II LLC agrees to comply with the regulations of the Board for Barbers and Cosmetology.

Upon a motion by Mr. Mayes and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board voted to consider the eight (8) remaining Prima Facie cases as a block, accept the violations, and approve the sanctions.

**Board Considers
and Approves
Remaining Prima
Facie Cases As A
Block**

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02933, Thanh-Dung Thi Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thanh-Dung Thi Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02933, Thanh-Dung Thi Tran

Concerning Counts 1 and 2, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Thanh-Dung Thi Tran violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,350.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 4,600.00

The Board also imposes the following sanction: Revocation of Thanh-Dung Thi Tran's Nail Technician license number 1206019150, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Ouesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03058, Kim Phuong Thi Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Kim Phuong Thi Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03058, Kim Phuong Thi Tran

Concerning Counts 1 and 2, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Kim Phuong Thi Tran violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Kim Phuong Thi Tran's Cosmetologist license number 1201122434, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03274, Tuyen T. Le**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tuyen T. Le did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03274, Tuyen T. Le

Concerning Counts 1 and 2, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tuyen T. Le violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.4 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		----- \$ 9,100.00

The Board also imposes the following sanction: Revocation of Tuyen T. Le's Cosmetologist license number 1201110592, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03380, Phuong Thi Ngo**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Phuong Thi Ngo did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03380, Phuong Thi Ngo

Concerning Counts 1 and 2, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Phuong Thi Ngo violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Phuong Thi Ngo's Cosmetologist license number 1201118874, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03436, Voeun Ly Loeung**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Voeun Ly Loeung did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03436, Voeun Ly Loeung

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Voeun Ly Loeung violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00

TOTAL		\$ 6,750.00

The Board also imposes the following sanction: Revocation of Voeun Ly Loeung's Cosmetologist license number 1201112749, for violations of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02272, Tien Thuy Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tien Thuy Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2017-02272, Tien Thuy Nguyen

Concerning Counts 1 and 2, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tien Thuy Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		\$ 6,850.00

The Board also imposes the following sanction: Revocation of Tien Thuy Nguyen's Cosmetologist license number 1201118808, for violations of Counts 1 and 2.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02275, Tam Tran Thanh Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tam Tran Thanh Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2017-02275, Tam Tran Thanh Nguyen

Concerning Counts 1 and 2, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tam Tran Thanh Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		\$ 6,850.00

The Board also imposes the following sanction: Revocation of Tam Tran Thanh Nguyen's Cosmetologist license number 1201118759, for violations of Counts 1 and 2.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms.

LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2019-01603, Front Royal Beauty School**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Front Royal Beauty School did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2019-01603, Front Royal Beauty School

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Front Royal Beauty School violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-130.C	\$	0.00
TOTAL		\$	0.00

The Board also imposes the following sanction: Revocation of Front Royal Beauty School's Cosmetology School license number 1205001348, for violation of Count 1.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00055, Blendz Barber Lounge LLC**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. John Edwards appeared at the meeting in person on behalf of Blendz Barber Lounge LLC and addressed the Board.

File Number 2020-00055, Blendz Barber Lounge LLC

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Blendz Barber Lounge LLC's Barber Shop license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00433, Shaqela Shyda Whitehurst**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shaqela

File Number 2020-00433, Shaqela Shyda Whitehurst

Shyda Whitehurst appeared at the meeting in person and addressed the Board.

Upon a motion by Mr. Quesenberry and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Shaqela Shyda Whitehurst's Cosmetologist license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00570, Freddie Dominic Cherry**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Freddie Dominic Cherry did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00570, Freddie Dominic Cherry

Upon a motion by Mr. Quesenberry and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Freddie Dominic Cherry's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00571, Kadian Rashad Andrews**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kadian Rashad Andrews did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00571, Kadian Rashad Andrews

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kadian Rashad Andrews' Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00572, Rodney Damon Grayson**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Rodney Damon Grayson did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00572, Rodney Damon Grayson

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Upon a motion by Mr. Roberts and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Rodney Damon Grayson's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00573, Jamaal Ashlen Gibbs**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jamaal Ashlen Gibbs did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00573, Jamaal Ashlen Gibbs

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jamaal Ashlen Gibbs' Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00574, George Robert Foster, Jr.**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. George Robert Foster, Jr. did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00574, George Robert Foster, Jr.

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve George Robert Foster, Jr.'s Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00590, Kelsey O'Bryan Henley**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kelsey O'Bryan Henley did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00590, Kelsey O'Bryan Henley

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board

voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kelsey O'Bryan Henley's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00592, Christopher Montel Holman**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Christopher Montel Holman did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00592, Christopher Montel Holman

Upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Christopher Montel Holman's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00635, Erin Leigh Nichols**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Erin Leigh Nichols appeared at the meeting in person and addressed the Board. Christine Werne also appeared at the meeting in person and addressed the Board on behalf of Ms. Nichols.

File Number 2020-00635, Erin Leigh Nichols

Upon a motion by Mr. Mayes and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Erin Leigh Nichols' Master Esthetician Instructor license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Mayes left the meeting for personal business.

Mr. Mayes left the meeting

In the matter of **File Number 2020-00790, Kenneth Edward Jackson**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kenneth Edward Jackson did not appear at the meeting in person, by counsel or by any

File Number 2020-00790, Kenneth Edward Jackson

other qualified representative.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kenneth Edward Jackson's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Mayes was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2020-00792, Clayton Mack Holly**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Clayton Mack Holly did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00792, Clayton Mack Holly

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Clayton Mack Holly's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Mayes was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2020-00834, Rydell Louis Robertson**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Rydell Louis Robertson did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00834, Rydell Louis Robertson

Upon a motion by Mr. Roberts and seconded by Ms. Dang, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Rydell Louis Robertson's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Mayes was not present, did not participate in the discussion, and did not vote on this matter.

Mr. Mayes returned to the meeting.

In the matter of **File Number 2020-00835, Eric Lee Talley**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Eric Lee Talley did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00835, Eric Lee Talley

Upon a motion by Mr. Quesenberry and seconded by Ms. Dang, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Eric Lee Talley's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00836, Deryll Allen White**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Deryll Allen White did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00836, Deryll Allen White

Upon a motion by Mr. Roberts and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Deryll Allen White's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00837, Christopher Luis Willars**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Christopher Luis Willars did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00837, Christopher Luis Willars

Upon a motion by Ms. Gilanshah and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Christopher Luis Willars' Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no

negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00838, Donald J. Montgomery**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Donald J. Montgomery did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00838, Donald J. Montgomery

Upon a motion by Mr. Quesenberry and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Donald J. Montgomery's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00849, Sonny Lynn Reese**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Sonny Lynn Reese did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00849, Sonny Lynn Reese

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Sonny Lynn Reese's Body Piercer Apprentice license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00852, Shanita Renee Lacy**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shanita Renee Lacy did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00852, Shanita Renee Lacy

Upon a motion by Mr. Quesenberry and seconded by Ms. Dang, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Shanita Renee Lacy's Cosmetologist license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00854, Malik Nathaniel Byrd**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Malik Nathaniel Byrd appeared at the meeting in person and addressed the Board.

File Number 2020-00854, Malik Nathaniel Byrd

Upon a motion by Mr. Quesenberry and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Malik Nathaniel Byrd's Barber license application.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshan, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

EXAMINATIONS

Ms. Rodriguez reported to the Board on current pass rates for barbers and cosmetology related examinations, excluding data for public schools, which will be reported at a meeting following testing for public schools in spring 2020.

Exam Statistics

Mr. Kirschner reported to the Board on the transition to the new examination vendor, PSI. He indicated that PSI has been responsive in addressing issues as they have arisen. Shannon Webster, DPOR Director of Examinations, advised the Board that there are five practical examination sites and eight theory examination sites operated by PSI.

Report On Examination Vendor Transition

REGULATORY ACTION AND BOARD GUIDANCE

Mr. Kirschner updated the Board on the progress of regulatory actions that are underway, including the fast-track update to disinfectant language and the fast-track action regarding the display of apprenticeship licenses. Both actions are in the public comment phase through February 6, 2020 and will take effect on February 10, 2020, if substantial public comments opposing the changes are not received.

Regulatory Report

Mr. Kirschner reported to the Board on the Tattoo and Body Piercing Sub Committee meeting that took place on December 2, 2019.

Tattooing Sub-Committee Report

Mr. Kirschner reviewed with the Board responses to public comments regarding the proposed revisions to the Tattoo and Body Piercing Regulations. Copies of the responses and the proposed revised regulations were distributed

Response to Tattooer Public Comments

to the Board members for review.

Upon a motion by Mr. Quesenberry and seconded by Ms. Acosta, the Board voted to approve the public comment responses as written.

The members voting ‘yes’ were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Acosta and seconded by Mr. Roberts, the Board voted to approve the revised proposed Tattoo and Body Piercing Regulations.

The members voting ‘yes’ were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Kirschner reported to the Board on the regulatory actions proposed by the Standing Committee on Training at its meeting on November 18, 2019, and directed the Board members to his memos dated December 30, 2019 outlining each of three proposed actions. Mr. Kirschner responded to questions from the Board.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to begin the standard rulemaking process to revise the Barbers and Cosmetology Regulations and Esthetics Regulations to create a single instructor program curriculum and allow certified instructors to teach in any profession in which they hold a license.

The members voting ‘yes’ were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to begin the fast-track rulemaking process to revise the Barber and Cosmetology Regulations and Esthetics Regulations to create a single transfer hours policy for schools.

The members voting ‘yes’ were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Kirschner addressed the Board regarding allowing experience to substitute for substantially equivalent training. He advised the Board that the new language recommended by the Standing Committee on Training in the endorsement regulation should be clarified to require “licensed” experience, rather than the vague term “legal” experience. After discussion, the Board

**Revised Proposed
Phase for
Tattooing and
Body Piercing
Regulatory Action**

**STANDING
COMMITTEE
REPORT**

**Regulatory Action
– Single Instructor
Program
Curriculum**

**Regulatory Action
– Transfer Hours
Requirement**

**Regulatory Action
– Experience in
Lieu of Training
Option for Out-of-
State Applicants**

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agreed with that amendment and also agreed to allow licensed experience to substitute for out-of-country training that is not substantially equivalent.

Upon a motion by Mr. Quesenberry and seconded by Ms. Dang, the Board voted to begin the fast-track rulemaking process, revising the Barbers and Cosmetology Regulations to allow applicants who completed an out-of-state or out-of-country program that is not substantially equivalent to Virginia's to substitute five years of licensed work experience for training.

The members voting 'yes' were Ms. Acosta, Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Kirschner discussed with the Board pending legislation that proposes reducing the cosmetologist training hours from 1,500 to 1,000. He provided the Board members with information regarding House and Senate bills (HB 514 and SB 915) and indicated that the Governor has not taken an official position on the proposed change.

The Board discussed the pending legislation and fielded questions from the gallery.

Mr. Kirschner advised the Board of an agency bill (HB 994) before the legislature regarding the creation of a hairstylist license, explaining that if the legislation is approved by the General Assembly, the Board will be required to create a hairstylist only training curriculum.

Ms. Broz-Vaughan provided additional explanation of the proposed legislation and the Agency's reason for submitting the bill.

Bonnie Rhea Adams, Director of the Complaint Analysis and Resolution (CAR) section, as well as Michael Leedom, CAR Intake Supervisor, and Michelle Couch, CAR Lead Legal Analyst, conducted in-service training for Board members to provide an overview of CAR's role working with the Board through the complaint process. Ms. Adams provided a slide presentation outlining the process from the point of first complaint through the resolution of the complaint by Informal Fact-Finding Conferences, Final Order, and/or Consent Order.

There being no further business to be brought before the Board, Mr. Quesenberry adjourned the meeting at 1:48 p.m.

NEW BUSINESS

Discussion – 1,000 Hour Cosmetology Curriculum

Discussion – Hair Stylist License

In-Service Training – Complaint Analysis and Resolution Section

Other Business

Adjourn

Margaret B. LaPierre, Board Chair

Mary Broz-Vaughan, Board Secretary

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DPOR Board for Barbers & Cosmetology, rr <barbercosmo@dpor.virginia.gov>

Request for consideration of regulatory change - Microneedling less than .3mm

1 message

Chris LeRoy <chl3272@gmail.com>

Wed, Nov 20, 2019 at 2:17 PM

To: barbercosmo@dpor.virginia.gov

Cc: Sarah Akram <sarah.a.akram@gmail.com>

My wife is a licensed master esthetician in Virginia (Sarah Akram - license #1264000712.) I am writing to you on her behalf to consider a regulatory change with respect to an Esthetics service she would like to offer (Micropuncturing) which, under current VA licensing regulations; is outside the scope of a Master Esthetics license (as micropuncturing is akin to microneedling based on VA Interpretation of what license is required to perform certain procedures under Code of Virginia §54.1-700 et. seq. , re: Eyelash Extensions, Microblading, Microneedling, Chemical Exfoliation.)

Under current FDA regulations issued in 2015 - microneedling devices with needles longer than .3mm must be classified as a Class 1 medical device. Under those same FDA guidelines, estheticians can only use microneedling devices of less than .3mm and only those that do not make medical claims. I am humbly asking the board to consider conforming its stance on microneedling to those of the FDA (i.e. either master estheticians or estheticians can only use microneedling devices of less than .3mm) as the service is NOT medical in nature, is not marketed as such and is purely used for Esthetics purposes.

I attach an example of such a device and it clearly is not marketed nor intended for medical use. Thank you for your attention to this matter. Do not hesitate to call or email me with any questions.

Chris LeRoy 917-327-9320

FT Micro-Puncture Lab - EN.pdf
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Micro-Puncture Lab[®]

DEVICE

Stage	Treatment
Category	Device
Skin Instants [®]	Matures



The **Micro-Puncture Lab[®]** activates collagen production with intra-epidermal micro-stimulations and helps to fight against the premature signs of skin ageing. This technique is based on the skin's ability to regenerate itself following external stimulation in order to multiply the desired results.

MODE OF ACTION

- Superficial micro-stimulations, 0.25 mm deep into the skin (strictly intra-epidermal target zone with no risk of bleeding).
- Micro-stimulation of collagen synthesis through the skin.
- Optimal penetration of Research Biological serums.

BENEFITS

- Fight against the signs of premature skin ageing
- Moisturizes and improves skin elasticity
- Corrective effect on fine lines and wrinkles
- Smooths and plumps the epidermis
- Improves complexion radiance and skin quality
- Results visible from the first session

DIRECTIONS FOR USE

1. Refer to the Micro-Puncture Lab[®] user manual.

CAUTIONS

- The needles used are sterile and single-use.
- Always remove the needles when moving over the face.
- Do not slide the needles along the skin.
- Never use on the cheekbone.
- Contraindicated in: pregnant women, people with eczema, skin infection, cancer, fever or infection in general.
- Carefully consult the instructions for use.

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DRAFT AGENDA



DPOR Board for Barbers & Cosmetology, rr <barbercosmo@dpor.virginia.gov>

IMMEDIATE RELEASE - National Interstate Council of State Boards of Cosmetology (NIC) Embraces Leading Change

1 message

NIC <communicate.nic@gmail.com>
To: communicate.nic@gmail.com

Tue, Nov 26, 2019 at 8:39 PM



National Interstate Council of State Boards of Cosmetology

National Interstate Council of State Boards of Cosmetology (NIC) Embraces Leading Change

SOUTH CAROLINA, November 25, 2019 - NIC is a leader in testing administration and provides a national forum for networking and collaboration for its members and partners. NIC recently had a substantial change in the leadership of the Executive Board at the 2019 annual conference. The new Executive Board embraces leading change and building an organization recognized for developing strong relationships and supporting our partners (members and non-members) while providing legally defensible testing. The Board is excited to announce the following:

Website: NIC is in the process of a complete website redesign to better serve our customers. The new website is projected to be released March 1, 2020.

Translated Exams: NIC is adding ten new written translated exams in the next year for candidates. Five translated exams are expected to be released in the first six months of 2020 and the remaining languages are projected to be released in the following six months. The approved translations include Chinese, Russian, Arabic, German, Japanese, Tagalog, Hindi, Mon-Khmer, (Cambodian) Persian and Laotian.

Written Practical Exams: NIC is in the process of developing a written practical examination for all license types and is projected to be released June 2020.

National License Database: NIC is pursuing the development of a national licensee database for purposes of verifying license status that would be available to member states.

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ADDENDUM 1

National Equivalency Exam: NIC is exploring the development of a national equivalency examination that would be available to candidates who are interested in portability of licensure. Candidates will be able to register through NIC to take the examination to obtain a national endorsement and will have the ability to request their national exam results be sent to any state or jurisdiction.

Marketing: NIC is focusing future efforts on how the organization can serve and support our partners on a national basis by establishing a marketing team. The main purpose of this team is to collaborate with our partners using innovative and progressive ideas to encourage and promote the protection of the health, safety and welfare of the public.

About NIC

The National Interstate Council of State Boards of Cosmetology (NIC) mission statement is to promote the protection of the health, safety, and welfare of the public and the professional workforce by actively pursuing excellence in cosmetology and related fields.

The organization accomplishes the mission with the following objectives:

- ❖ Provide a forum for the exchange of state regulatory ideas to promote the highest standards for consumer safety.
- ❖ Offer a standardized, valid, and legally defensible National Examination Program based on the highest standards and requirements for entrance into the profession of cosmetology and related fields.
- ❖ Promote national endorsement and standardization of regulations affecting the practice of cosmetology and related fields within all jurisdictions.
- ❖ Encourage competency in the practice of cosmetology and related fields.
- ❖ Cultivate professional relationships with industry partners to achieve common goals

NIC hosts regional and annual national conferences to encourage networking among states and other jurisdictions. NIC representatives will attend board meetings, association meetings, and legislative hearings upon request to share national standards regarding education, consumer health and safety.

NIC welcomes the opportunity to work with our partners and listen to concerns on a state by state basis. NIC utilizes the national forum as an opportunity to continue to share information and encourage uniformity among states and other jurisdictions. If you have questions or would like to request additional information, please contact us at communicate.nic@gmail.com.

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SYLVAIN MELLOUL

INTERNATIONAL HAIR ACADEMY

Board for Barbers and Cosmetology
Virginia Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 400
Richmond, VA 23233-1485
Attn: Board Chair, Board Member's and Mr. Stephen Kirschner

January 6th, 2020

Re: Board meeting January 13th, 2020 regarding cosmetology hour reduction & hair only license

Dear Board Members for Barbers and Cosmetology;

First and foremost, thank you for the opportunity for public comment on these very important matters at hand. Please find this letter in support of the public comments I will be presenting to the Board in the January 13th, 2020 board meeting.

This letter, along with my upcoming public comment, are in **STRONG SUPPORT AGAINST:**

1. Reducing the Cosmetology program to 1,000 hours
2. Adding a "Hair Only" license

I ask that the board strongly consider the below points when voting on any decision regarding either of the above regulatory matters presented above.

The guiding logic and principle in the argument against is: WHY and what does the DATA support?

1. **Why is the board considering these two regulatory changes?** [Reducing the cosmetology curriculum to 1,000 hours and creating a hair only license at 1,000 hours].
The intent behind this proposed regulatory change must be factored into the decision making process. What is the main problem the board is trying to solve in presenting these "solutions" through regulatory changes.

When this question was proposed at the last meeting, the answer was that certain stakeholders (chain salons such as Haircuttery, Sports Clips, Great Clips) are arguing that the 1500 hours is a "barrier to entry" for students into the cosmetology field, which is the reason why these salons are having trouble retaining their cosmetologist to work for them. This is not accurate, however. It is pure speculation that the 1500 hours vs. the 1000 hours, in essence the 500 hours, is the barrier to entry for people entering the field of cosmetology. What data is there to support this claim? It is entirely unsubstantiated.

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- b. Several items to strongly consider when looking at this argument:
- i. What does the data say? In states with 1,000 hours, are these same companies having the same retention issues? Or all their retention issues solved in states that have 1,000 hour cosmetology requirements? I strongly encourage the board to request this data from these stakeholders behind this reduction.
 - ii. What does Virginia data say? Keep in mind that this process basically already occurred when the board reduced the hours for the barber curriculum requirements from 1500 hours to 1100 hours. Since the time this has occurred, has the state seen a positive correlation in the increase in barber license applicants (or licensee's) from prior years? I strongly encourage the board to use this barber program reduction as a case study for this proposal. What does the data say? I believe the board needs to analyze this type of data in order to make an educated decision on this major change.
 - iii. Creating a **BIGGER BARRIER TO ENTRY**, not minimizing it: Unfortunately, reducing the hour requirements for the cosmetology program, if mandated to do so, **WILL NOT REDUCE STUDENT TUITION**. The costs to operating a cosmetology school are not reduced with the subsequent hour reduction unfortunately; therefore student tuition must remain the same in order to cover the unchanged costs of running a school. If schools must keep tuition the same in order to cover the unchanged expenses, this is going to create a **MASSIVE cost barrier** for students to be able to attend cosmetology school, thus creating **LESS** licensees rather than creating more. The reason the cost barrier increases is because students who receive any Title IV federal student aid funds (about 80% of student bodies utilize) to pay for tuition costs will have their funding eligibility reduced in accordance with the US Department of Education regulations, thus creating more costs for the student. In this scenario, students will have the same costs, receive less education, and have a greater out-of-pocket liability for tuition.
 - iv. What does the WEST VIRGINIA DATA say about a "hair only" license?
 1. When this question was presented at the last meeting, it was stated that about 1 out of 10 students chooses the "hair only" program compared to the cosmetologist program in West Virginia. If only 1 out of 10 students is choosing the hair only pathway, 10% or less, is it worth it? Based on 1 out of 10, in my opinion, it is not worth creating and regulating this license. What measures will the board put in place to ensure that 'hair only' licensees are performing within their scope of practice?

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2. How can the board justify an 1,100 hour barber program and a 1,000 hour cosmetology program; whereas the cosmetologist deal with chemical processes and have a larger scope of practice?

- a. The board recently reduced the barber curriculum requirements from 1500 hours to 1100 hours due to the regulations over-stating the scope of practice as defined in the Virginia Code; the 1500 hour barber program included chemical processes, whereas the code states barbers are not allowed to perform chemical services. The board reduced the hours from 1500 hours to 1100 hours to accurately reflect the scope of practice with no chemical processes for barbers. The 1100 hour barber curriculum does not include any chemical processes, thus the creation of the 1500 hour master barber program to include chemical processes. That said; the board has to use logic in looking at the barber regulations and requirements compared to the proposed hour reduction for cosmetology. Does it make sense to have a barber program 100 hours longer than the proposed 1000 hour cosmetology program, yet the cosmetologist are responsible for chemical processes and barbers are not? Does 1500 hour master barber program include 500 more hours of content than the 1000 hour cosmetology program? If the board votes to reduce the cosmetology program to 1000 hours, will it congruently make changes to the barber requirements? The board cannot reasonably approve the reduction to the 1000 hour cosmetology requirements without subsequently making changes to the barber regulations.

3. Safety and Education:

- a. The Board's number one priority in regulating the cosmetology profession is public safety. Public safety is at most risk when cosmetologists are using chemicals processes on clients. Students learn through experience, and it is during the consultation process that cosmetologists can identify potential risks to the client's safety. During school, students are given the opportunity to service real clients - gaining valuable experience with real consultations and services. The best way to protect the public is to protect the current regulations. With less education and less regulatory oversight, the board should reasonably expect an increase in complaints from the public. This is the only post-secondary education for a lot of these students and public safety comes from knowledge and experience.

In conclusion; I believe the Board needs to strongly consider the data, the use of logic & reasoning, and the overall intent behind this hour reduction proposal when making a decision. I fear that this change, if supported by the board, will have many adverse effects on the future cosmetologists, the public, and the board's ability to deliver a cohesive & comprehensive regulatory action plan. These proposals will generate a massive ripple effect, starting with the Board's need to update/change any ancillary

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INTERNATIONAL HAIR ACADEMY

regulations that are affected by this proposal, like the barber program requirements for example. There are additional points against this proposal, like the concerns with reciprocity, that the other stakeholders against this reduction will voice.

Thank you for your consideration.

Sincerely,



Jonathan Melloul
Chief Operating Officer
Sylvain Melloul International Hair Academy
(C): 202-368-6225
jonathan@smiha.edu

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January 10, 2020

Mr. Steve Kirschner
Executive Director
Department of Professional and Occupational Regulation
9960 Mayland Drive, Suite 102
Richmond, VA 23233

Dear Mr. Kirschner,

It is my understanding that the Barber and Cosmetology Board is seeking comments on proposed changes to the required hours in the Cosmetology course. Specifically, that the hours would be lowered from 1500 to 1000.

My comments are based on having been a graduate of a Virginia cosmetology school as well as an educator in the Cosmetology industry. Based on my 10 years of experience in the industry, I am encouraging the Board to maintain 1500 hours

Concerns:

1. At 1000 hours students are not prepared at all. From my 4 years teaching cosmetology, students around 1000 hours have not had enough time to practice, build up speed and have not yet gained the confidence to become great stylists.
2. I've had several conversations with students that have 1000 hours and they don't feel ready or confident enough to be leaving school and don't feel they would be successful stylists if they graduated now.
3. It takes 10,000 hours to become an expert at something. 1000 hours is 1/10th of that time. While I understand school is not meant to make someone an expert, we want to give them the best shot at being successful in this industry and lowering their practice hours by 500 isn't helping them.
4. At 1000 hours, students will not qualify for as much financial aid as they do at 1500 hours. If fewer students can afford to attend school, you will have fewer students starting school and the argument for lowering the hours in order to increase the available graduates will be null and void.
5. Even with 1500 hours, there is barely enough time for students to have adequate hands on experience, learn all of the theory and thoroughly prepare for the state board examination.
6. Hands-on practice is fundamental in building speed and confidence so that students are ready to leave school with the skills they need to be SUCCESSFUL. Anyone can pump out a ton of stylists who don't know what they're doing, but as a teacher, I like for my students to know what they're doing.

7. 1000 hours just isn't enough. Students at this amount of hours are not ready. A student told me just today that she just hit 1000 hours and for the first time was able to perform a 90 degree state board haircut on a guest this week.

8. If salons are having trouble recruiting or retaining stylists, that has nothing to do with the students' right to a full education. We cannot hinder them because quick salons need more employees. I educate professionals, not just another employee.

For all of these reasons, it would be irresponsible to allow students to be licensed after only 1000 hours. I appreciate your consideration of my comments. Feel free to contact me at katie@rkacademy.com if you have any questions.

Sincerely,



Katherine Hoover

Cosmetologist and Cosmetology Instructor, License #1204020336

2219 Colonial Ave, Apt. 105

Norfolk VA 23517

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Monday, January 13th, 2020

Board of Barbers and Cosmetology,

Unable to be there today, it is with great dismay that I am even having to write this letter to discuss the "New Business" concerning the 1,000 hours change to the Cosmetologist curriculum. It is preposterous for any one human to believe someone could be ready to enter the workforce after, let alone, 1,500 hours and now the discussion has come to take 500 hours away. Anyone who has completed a cosmetology licensure program, in any given period of time, knows the fear they felt heading out into the world to experience the Cosmetology world. There were so many things learned, in whatever time attended, and now being all alone to figure out the answers, your instructors would usually help to answer, is overly fearful. Would everything that was taught to you be remembered? Most of the time, the answer is yes, at least the basics, but I also know 95% of any cosmetologist would agree, that the mistakes will still happen and after the "ah-ha" moment would kick in. At that time, we knew why it happened.

So, with that being said, what does the removal of 500 hours do? Potentially, that "ah-ha" moment for that student. Being a Cosmetology Instructor is probably one of the most rewarding experiences anyone could have. You are not only educating someone, but you are setting that person up to have a future to provide for themselves and a lot of the time, provide for their families. For instructors, taking this time away, is like turning students into an assembly line. The feeling of "pushing them in and pushing them out," is there. As an instructor, that is not my goal and isn't for most. Building a rapport, making them feel at ease, while at the same time equipping them with not only the skills to pass State Board and have a fulfilling and successful career in this industry, that should be the goal.

During first discussion, I didn't know much about the hours. Being a newer Instructor, knowing a lot about other state regulations, isn't something that tends to get talked about on a daily basis. Before I was even comfortable, I decided to do some research. What I found shocked me. It appears that, as of right now, only two states have the 1,000 hours. One of those states participated in what was known as a "two tiers" program. A person could not even become a licensed Cosmetologist until completing the first level as an "operator" and then an additional two years under the supervision of a licensed Cosmetologist. Seeming unrealistic from a student's standpoint, I was not shocked that in June of 2019, this "tier" system was terminated and now anyone can become a cosmetologist after 1,000 hours and passing the required State Board. Additionally, both states do not require mandatory continued education. There seem to

three other states that require 1200-1250 hours one, of which, only requiring continued education.

The more I search for reasons why learning opportunities would be taken from student's; I cannot seem to come up with one that would even make sense. Looking into unemployment rates, employment popularities, population, income, I can't find anything that would make me understand why these two states have the least number of hours. With that, even more so why the Commonwealth would become one of these states as well.

Let's talk about what I do know. The trend in the cosmetology industry is quickly becoming "booth rent." This is requiring students to graduate, go out on their own, create a growing clientele and make a living. Now of course, you have large franchise salons that would love to have new students come work for them. They say they offer training, but isn't that what they just went to school for. The number one thing I hear from graduated students of why they leave these franchise salons is the schedule conflicts and favoritism. Let's face it, students start at places like this to build a clientele and to have access to some extra knowledge, but as soon as they feel comfortable, they clip their wings and fly off. Which is what most cosmetologists do. We were made to be go getters. We're not afraid to work hard for the things we want. The last thing we want is for someone over our shoulder watching our every move. On the first day of school, I ask my new students, where they think they'll see themselves in 20 years. The majority of the time, the answer is "salon owner." What an encouraging thing to hear on the first day. The dreams and the passion! However, is that goal attainable working at a franchise salon their whole life? Well, I think we know the answer to that. In a sense, a franchise salon is becoming an assembly line. Gathering new students, training them their way, clipping their wings and then starting all over again in the transition.

Currently, the curriculum we are teaching at our establishment is 33 chapters. Equipping students with enough information for those 33 chapters, making sure they follow and know safety and sanitation guidelines and making sure they get enough practical experience to feel comfortable working on a human head is a lot to accomplish in 1,500 hours. At times, I doubt if we will even be able to finish the required material. Now of course, everyone is different and some people need more time than others. However, the vast majority of students would benefit in having additional hours designated to state board practice and learning the salon business. With State Board practice be our most sought-after class, having more time to focus on this general area uninterrupted would, most likely, raise Virginia's State Board passing percentage.

In conclusion, when making the decision whether or not to change Virginia Cosmetology Licensure requirements to 1500 hours, I hope that the negatives of doing so will ring louder

than the positives. In the end, I personally believe that the only people benefitting from this change will not be the student and isn't that the number one goal? Properly preparing them ensures better licensure and placement percentages.

Thank you for your time,



Morgan R. Thompson

Staunton School of Cosmetology
128 East Beverley St. Staunton, VA 24401
540-885-0808

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To all it may concern:

I have a lot to say but I'll try to be short. I have been in the cosmetology profession for 42 years and have seen many changes. I was a hairstylist for 27 years then became an instructor. I've seen both sides of this profession. Sadly to say it has become a ballgame of constant rule changing. I must say our schools constantly trying to comply to these rules.

I'm going to give you a few examples I don't agree with. First it falls on the corporate level, which we must comply with and I certainly agree. As you know we must be evaluated. During one of our evaluations I had a lady sit in on my beginning class. That day we were discussing sanitation. One student wanted to know about lice. So I added it to my plan. After the class ended she thanked me for being so informative about all the information. I then asked her, "don't you learn this in your cosmetology classes?" She proceeded to tell me, "no I'm not a cosmetologist, I work in the office and do this on extra time." This floored me! How can I be evaluated by someone who doesn't even know what I'm teaching?

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Now, I do believe there should be something done about the loans that students receive. In my years of teaching I've had many students say to me, "I don't care about hair, I'm just putting in time to graduate and then try something else." Do you know how hard that is to know? I spend all my time trying to give each student the same learning skills and know that another student eager to learn will not get the extra time to make them their very best.

This now brings the subject of lowering the hours. I'm proud to say I went to school when 2000 hours were required. After 1500 you practiced at St. Board and did extra credits to prepare for the salon. Everyone was ready to go on with their career. Now the artificial nails and spa services have been added. There's not enough time to become a hairstylist with lowering the hours and adding more services.

I'm glad to say I went to school and learned when I did and not today! People do not look at this as an art, but it is. Think about a blank piece of canvas. You mix

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your paints like our color the same way. The law of color cannot change. Then you take your brushes or fingers and learn the different strokes you need for the design you want. Other tools are used too. Scissors cut and create the design. Hair brushes, irons and rollers are lifting, curling, and smoothing the hair to make the canvas look it's best and make the client feel special. That's what you want isn't it!

I'm very proud to say the school I work for does all it can to comply with the rules set forth. I work closely with the other fulltime instructor to see that the students get all they need. It's very rewarding to hear from a student and be thanked for what they've learned. Some even call back after years in the salon for our help. It's so nice to have students that are so thankful and think we are special! Please don't take this away.

In conclusion I want to review my desires. First start on the corporate level - get hairstylists and schools involved in the needs of students. Tighten down on the business for loans to be achieved, knowing they

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Finish school and go on to relieve loans that will never be paid and cleavage. Then think fully about lowering the hours. Sure think ^{the} vocational portion can be done one line and books but the practical level I feel they need all the experience they can get. We are hairstylists not nail techs or spa specialists, consider dropping here.

Please take all my wishes into consideration. As far as I see it we are a breed that will soon die out. Don't let this happen!

Sincerely

Beverley Davidson

Staunton School of Cosmetology

540-885-0808

Beverley D. Davidson

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Clark, Cathy <cathy.clark@dpor.virginia.gov>

Fwd: Please keep 1500 Hours

1 message

Kirschner, Stephen <steve.kirschner@dpor.virginia.gov>
To: Cathy Clark <cathy.clark@dpor.virginia.gov>

Mon, Jan 13, 2020 at 8:46 AM

----- Forwarded message -----

From: **Bryant Murphy** <deignedbyb@icloud.com>
Date: Sun, Jan 12, 2020 at 8:50 PM
Subject: Please keep 1500 Hours
To: <Steve.Kirschner@dpor.virginia.gov>

To whom it may concern

It is with such regret that this issue is even a needed conversation, however I would just like to share my thoughts on why Virginia needs to continue to stay at 1500 hours as a requirement for licensure.

As an instructor for 7 years and a licensed stylist for 18 it is apparent that my success has been because of experience. Experience from school and experience in the salon. When I think of the salons I worked or shadowed in as a new stylist I was not nourished, poured in to, and in most cases had to figure it out. When I think of myself as an instructor, I personally help students daily achieve greatness until the required 1500 hours are met. The difference is students at 1500 hours are more equipped then someone who has not had the time to practice their talent and skill and are going to be placed in salons where management and or owners aren't available to give them one on one that they would be receiving in a school setting.

The problem to me is that the salons who are enforcing hour reduction are the salons that need to do better at their own training and salon retention. Students these days are more knowledgeable about wanting to be their own boss and are also not wanting to work in places that time is more important than guest service and client retention.

I hope that this email finds you in time

Bryant Murphy

Sent from my iPhone

--

Stephen Kirschner
Executive Director
Board for Barbers and Cosmetology
Board for Hearing Aid Specialists and Opticians
(804) 367-2960 phone
(806) 245-9693 fax

Virginia Department of Professional and Occupational Regulation
9960 Mayland Drive, Ste. 400, Richmond, VA 23233
Visit us on the web @ www.dpor.virginia.gov

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Clark, Cathy <cathy.clark@dpor.virginia.gov>

Fwd: Leandra Doucet

1 message

Kirschner, Stephen <steve.kirschner@dpor.virginia.gov>
To: Cathy Clark <cathy.clark@dpor.virginia.gov>

Thu, Feb 13, 2020 at 10:12 AM

From: Leandra Doucet
Received: Mon Feb 10 2020 21:36:58 GMT-0500 (Eastern Standard Time)
To: yyEadPortalGovCr (Do NOT Disable)
Subject: Cosmetology required hours

I feel that the hours should be reduce however it should not effect the ability for us to get financial aid to pay for education as a single mother I cannot afford to be at school for a long time (1500 hours) however I cannot afford to attend to provide my kids a better life financially so if there is a way to compromise to where the hours can be reduce but so we can also take advantage of financial age

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Suggestion for sanitations standards

1 message

Kellz Scissors hands <kellzscissorshands@gmail.com>
 To: BarberCosmo@dpor.virginia.gov

Thu, Feb 20, 2020 at 11:06 AM

Whom may concern,

My name is Dr. Kelvin L Rosado, I am a Virginia Barber, Master Barber / Barber Instructor, my license #1301092848 and owner of The Fade Master Grooming Lounge located on [937 Eastway Dr Charlotte, NC 28205](#). I have two suggestions that I strongly believe will help the industry sanitary wise.

I'd like to present them to the Barber and Cosmetology Board

1. Usage of Nitrile or vinyl gloves

As barbers we are exposed to touch an individual's skin and hair. **As we know, the human body produces body fluids that could be critical if the barber or client has any skin disorder, also we all know, we do get hair splinters** and they hurt and they are hard to get them out. That's why I'd like to have the Virginia Barber and Cosmetology Board review my suggestion on considering making new regulations for barbers in the State of Virginia to wear gloves while conducting a haircut to avoid us getting any infection.



Purpose of using gloves:

1. Protect the barber and protect the client from skin disorders by avoiding 100% contact with an individual's skin.
2. Protect the barber from getting hair splinters.

*Nitrile gloves which that's what I use as preference, they are washable and reusable.

2. Usage of a **Mouth Cover**

Why mouth cover? As babers we are exposed to inhaling hair all the time while we are cutting hair and I strongly believe that by using a **Mouth Cover** will help a lot. Did you know that hair on your stomach can cause you Swine Flu (Influenza A)? What's swine flu? The Swine Flu, infects domestic pigs, warthogs, and bushpigs. Transmission occurs through direct contact between healthy and sick animals, or indirect contact through infected feed, as well as through biological vectors (soft ticks). And it could be transmitted by hair as well, the human hair is exposed to all kinds of bacterias, germs and disease. That's why I'd like to have the Virginia Barber and Cosmetology Board review my suggestion on considering making new regulations for barbers in the State of Virginia to wear Mouth Cover while conducting a haircut to avoid us getting any infection.

Purpose of Mouth Cover:

1. The Mouth Cover works both ways, it can protect the client and protects the barber from sick days or bacteria while in the barbershop or salon.
2. Protect the barber from inhaling hair.
3. 100% reusable.
4. 100% breathable.



Sincerely thank you
Dr. Kelvin L Rosado
[937 Eastway Dr](#)
[Charlotte, NC 28205](#)
Cel.. 704-957-3535



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: FEE CHANGE
DATE: FEBRUARY 21, 2020

In 2016, the Board voted to create a two year fee reduction in order to bring the Board's budget in line with the Callahan Acts requirements. The Board extended this temporary fee reduction in 2018, which is set to expire on August 31, 2020.

The Department has determined that the Board is able to continue a temporary fee reduction for another two years, though at a different amount than the last several years. Attached you will find the Department's recommended fee reduction to cover the two year period of September 1, 2020 to August 31, 2022. The proposed fee allows the Board to maintain a nearly even revenue and expenditure balance. The fee change will be on the agenda for the March 9, 2020 meeting for discussion and approval. The Board can approve the temporary fee reduction with a motion to "initiate a regulatory action to temporarily reduce the fees to the proposed amount for the period of September 1, 2020 to August 31, 2022."

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**Board for Barbers and Cosmetology
Analysis of Fee Structure and Financial Position**

Callahan Percentage Previous Biennium

96.2%

Date of Last Fee Increase: 9/1/2011
Date of Last Fee Decrease: 9/1/2016

Fee Structure

<u>Fee Type</u>		<u>Current Temporary Fees</u>	<u>Proposed Temporary Fees</u>	<u>Fees in Regulation</u>
Individuals:		0	0	0
Application	Cosmetologist	75	95	105
Application	Nail Tech	75	95	105
Application	Barber	75	95	105
Application	Wax Tech	75	95	105
Application	Hair Braider	75	95	105
Application	Tattoo	75	95	105
Application	Lmted Term Tattoo	75	95	105
Application	Perm. Cosm. Tattoo	75	95	105
Application	Master Perm Tattoo	75	95	105
Application	Body Piercers	75	95	105
Application	Body P. - Ear Only	75	95	105
Application	Esthetician	75	95	105
Application	Master Esthetician	75	95	105
License by Endorsement	Cosmetologist	75	95	105
License by Endorsement	Nail Tech	75	95	105
License by Endorsement	Barber	75	95	105
License by Endorsement	Wax Tech	75	95	105
License by Endorsement	Hair Braider	75	95	105
License by Endorsement	Tattoo	75	95	105
License by Endorsement	Perm. Cosm. Tattoo	75	95	105
License by Endorsement	Master Perm Tattoo	75	95	105
License by Endorsement	Body Piercers	75	95	105
License by Endorsement	Body P. - Ear Only	75	95	105
License by Endorsement	Esthetician	75	95	105
License by Endorsement	Master Esthetician	75	95	105
Renewal	Cosmetologist	75	95	105
Renewal	Nail Tech	75	95	105
Renewal	Barber	75	95	105
Renewal	Wax Tech	75	95	105
Renewal	Hair Braider	75	95	105
Renewal	Tattoo	75	95	105
Renewal	Perm. Cosm. Tattoo	75	95	105
Renewal	Master Perm Tattoo	75	95	105
Renewal	Body Piercers	75	95	105
Renewal	Body P. - Ear Only	75	95	105
Renewal	Esthetician	75	95	105
Renewal	Master Esthetician	75	95	105
Reinstatement	Cosmetologist	75	95	105
Reinstatement	Nail Tech	75	95	105
Reinstatement	Barber	75	95	105
Reinstatement	Wax Tech	75	95	105
Reinstatement	Hair Braider	75	95	105
Reinstatement	Tattoo	75	95	105
Reinstatement	Perm. Cosm. Tattoo	75	95	105
Reinstatement	Master Perm Tattoo	75	95	105
Reinstatement	Body Piercers	75	95	105
Reinstatement	Body P. - Ear Only	75	95	105
Reinstatement	Esthetician	75	95	105
Reinstatement	Master Esthetician	75	95	105

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Instructors:	0	0	0	0
Application	Cosmetology Instructor	100	115	125
Application	Nail Tech Instructor	100	115	125
Application	Barber Instructor	100	115	125
Application	Waxing Instructor	100	115	125
Application	Tattooing Instructor	100	115	125
Application	Perm. Cosm. Tattoo	100	115	125
Application	Esthetics Instructor	100	115	125
Application	Master Esthetics Instructor	100	115	125
License by Endorsement	Cosmetology Instructor	100	115	125
License by Endorsement	Nail Tech Instructor	100	115	125
License by Endorsement	Barber Instructor	100	115	125
License by Endorsement	Waxing Instructor	100	115	125
License by Endorsement	Tattooing Instructor	100	115	125
License by Endorsement	Perm. Cosm. Tattoo	100	115	125
License by Endorsement	Esthetics Instructor	100	115	125
License by Endorsement	Master Esthetics Instructor	100	115	125
Renewal	Cosmetology Instructor	100	115	150
Renewal	Nail Tech Instructor	100	115	150
Renewal	Barber Instructor	100	115	150
Renewal	Waxing Instructor	100	115	150
Renewal	Tattooing Instructor	100	115	150
Renewal	Perm. Cosm. Tattoo	100	115	150
Renewal	Esthetics Instructor	100	115	150
Renewal	Master Esthetics Instructor	100	115	150
Reinstatement	Cosmetology Instructor	100	115	150
Reinstatement	Nail Tech Instructor	100	115	150
Reinstatement	Barber Instructor	100	115	150
Reinstatement	Waxing Instructor	100	115	150
Reinstatement	Tattooing Instructor	100	115	150
Reinstatement	Perm. Cosm. Tattoo	100	115	150
Reinstatement	Esthetics Instructor	100	115	150
Reinstatement	Master Esthetics Instructor	100	115	150
Facilities:	0	0	0	0
Application	Cosmetology Salon	130	170	190
Application	Nail Tech Salon	130	170	190
Application	Barber Shop	130	170	190
Application	Waxing Salon	130	170	190
Application	Hair Braider	130	170	190
Application	Tattoo	130	170	190
Application	Lmtd Term Tattoo	130	170	190
Application	Perm. Cosm. Tattoo	130	170	190
Application	Body Piercers	130	170	190
Application	BP - Ear Only Salon	130	170	190
Application	Esthetics Spa	130	170	190
Renewal	Cosmetology Salon	130	170	190
Renewal	Nail Tech Salon	130	170	190
Renewal	Barber Shop	130	170	190
Renewal	Waxing Salon	130	170	190
Renewal	Hair Braider	130	170	190
Renewal	Tattoo	130	170	190
Renewal	Perm. Cosm. Tattoo	130	170	190
Renewal	Body Piercers	130	170	190
Renewal	BP - Ear Only Salon	130	170	190
Renewal	Esthetics Spa	130	170	190
Reinstatement	Cosmetology Salon	130	170	190
Reinstatement	Nail Tech Salon	130	170	190
Reinstatement	Barber Shop	130	170	190
Reinstatement	Waxing Salon	130	170	190
Reinstatement	Hair Braider	130	170	190
Reinstatement	Tattoo	130	170	190
Reinstatement	Perm. Cosm. Tattoo	130	170	190
Reinstatement	Body Piercers	130	170	190

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Reinstatement	BP - Ear Only Salon	130	170	190
Reinstatement	Esthetics Spa	130	170	190
Schools:	0	0	0	0
Application	Cosmetology School	140	190	220
Application	Nail Tech School	140	190	220
Application	Barber School	140	190	220
Application	Wax Tech School	140	190	220
Application	Hair Braider	140	190	220
Application	Tattooing	140	190	220
Application	Perm. Cosm. Tattoo	140	190	220
Application	Esthetics	140	190	220
Add Program	Cosmetology School	100	190	100
Add Program	Nail Tech School	100	190	100
Add Program	Barber School	100	190	100
Add Program	Wax Tech School	100	190	100
Add Program	Hair Braider	100	190	220
Add Program	Esthetics	100	190	220
Renewal	Cosmetology School	140	190	220
Renewal	Nail Tech School	140	190	220
Renewal	Barber School	140	190	220
Renewal	Wax Tech School	140	190	220
Renewal	Hair Braider	140	190	220
Renewal	Tattooing	140	190	220
Renewal	Perm. Cosm. Tattoo	140	190	220
Renewal	Esthetics	140	190	220
Reinstatement	Cosmetology School	140	190	220
Reinstatement	Nail Tech School	140	190	220
Reinstatement	Barber School	140	190	220
Reinstatement	Wax Tech School	140	190	220
Reinstatement	Hair Braider	140	190	220
Reinstatement	Tattooing	140	190	220
Reinstatement	Perm. Cosm. Tattoo	140	190	220
Reinstatement	Esthetics	140	190	220
Certification	0	35	35	35
Bad Check	0	50	50	50
Extra Copies	0	5	5	5

Financial Position

	Actual 2016-18 Biennium	Projected 2018-20 Current Temporary Fees	Projected 2020-22 Current Temporary Fees	Projected 2020-22 Proposed Temporary Fees	Projected 2020-22 Regulation Fees
Cash Carryforward	6,965,482	6,798,121	5,617,766	5,617,766	5,617,766
Revenues	6,901,737	6,606,920	6,675,958	8,452,957	9,423,409
Expenditures	7,069,098	7,787,275	8,363,812	8,363,812	8,363,812
Balance	6,798,121	5,617,766	3,929,912	5,706,911	6,677,363
Projected Callahan Percentage Close of Biennium			47.0%	68.2%	79.8%

NOTES:

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TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: FINANCIAL STATEMENTS
DATE: FEBRUARY 21, 2020

Attached you will find the most recent Statement of Financial Activity and the Supporting Statement of Year-to-Date Activity for the Board. Additionally, you will find the Agency Statement of Financial Activity.

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Department of Professional and Occupational Regulation
Statement of Financial Activity

Board for Barbers and Cosmetology
954230

2018-2020 Biennium

January 2020

	January 2020 Activity	Biennium-to-Date Comparison	
		July 2016 - January 2018	July 2018 - January 2020
Cash/Revenue Balance Brought Forward			6,798,122
Revenues	254,099	5,500,321	5,355,479
Cumulative Revenues			12,153,601
Cost Categories:			
Board Expenditures	11,464	245,546	280,615
Board Administration	97,436	1,615,827	1,814,349
Administration of Exams	5,728	93,706	105,064
Enforcement	65,919	1,009,528	1,194,835
Legal Services	6,282	32,529	39,222
Information Systems	103,312	1,108,017	1,380,379
Facilities and Support Services	28,071	441,810	524,473
Agency Administration	42,844	998,524	829,916
Other / Transfers	0	93,739	(57)
Total Expenses	361,057	5,639,227	6,168,796
Transfer To/(From) Cash Reserves	(106,958)	0	5,984,806
Ending Cash/Revenue Balance			0

Cash Reserve Beginning Balance	6,091,764	0	0
Change in Cash Reserve	(106,958)	0	5,984,806
Ending Cash Reserve Balance	5,984,806	0	5,984,806

Number of Regulants		
Current Month	74,456	
Previous Biennium-to-Date	72,228	

Department of Professional and Occupational Regulation
 Supporting Statement of Year-to-Date Activity
 Board for Barbers and Cosmetology - 954230
 Fiscal Year 2020

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																	Amount	%
Board Expenditures	19,497	16,088	18,327	17,122	12,217	11,704	11,464	0	0	0	0	0	106,421	197,178	90,758	175,030	22,149	11.2%
Board Administration	146,943	99,052	94,646	81,802	96,697	94,581	97,436	0	0	0	0	0	711,156	1,370,170	659,014	1,125,141	245,029	17.9%
Administration of Exams	9,573	6,192	6,055	4,810	5,404	4,113	5,728	0	0	0	0	0	41,874	68,495	26,621	67,054	1,441	2.1%
Enforcement	98,240	67,957	68,154	58,876	64,842	68,294	65,919	0	0	0	0	0	492,281	1,017,523	525,242	775,130	242,392	23.8%
Legal Services	0	0	0	0	12,564	0	6,282	0	0	0	0	0	18,846	25,128	6,282	32,307	-7,179	-28.6%
Information Systems	41,475	61,090	59,913	94,732	65,518	29,060	103,312	0	0	0	0	0	455,102	960,257	505,156	757,343	202,915	21.1%
Facilities / Support Svcs	15,310	29,472	28,049	27,119	29,715	27,484	28,071	0	0	0	0	0	185,221	357,480	172,259	309,917	47,563	13.3%
Agency Administration	57,657	44,410	44,816	47,187	54,990	41,161	42,844	0	0	0	0	0	333,064	666,645	333,581	531,038	135,607	20.3%
Other / Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Charges	388,695	324,261	319,961	331,646	341,947	276,399	361,057	0	0	0	0	0	2,343,965	4,662,877	2,318,911	3,772,960	889,917	19.1%

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**Department of Professional and Occupational Regulation
Statement of Financial Activity**

Agency Total

2018-2020 Biennium

January 2020

	January 2020 Activity	Biennium-to-Date Comparison	
		July 2016 - January 2018	July 2018 - January 2020
Cash/Revenue Balance Brought Forward			27,183,878
Revenues	1,702,087	28,875,415	29,380,035
Cumulative Revenues			56,563,913
Cost Categories:			
Board Expenditures	263,650	2,645,864	2,954,300
Board Administration	396,841	6,601,838	7,426,674
Administration of Exams	26,994	411,195	500,999
Enforcement	569,155	10,056,165	10,780,060
Legal Services	28,340	326,335	352,552
Information Systems	481,253	4,633,401	5,789,063
Facilities and Support Services	161,806	2,754,935	3,080,469
Agency Administration	178,843	4,176,880	3,479,719
Other / Transfers	0	(1,531)	8,280
Total Expenses	2,056,883	31,605,083	34,372,116
Transfer To/(From) Cash Reserves	(333,553)	0	21,986,008
Ending Cash/Revenue Balance			205,789

Cash Reserve Beginning Balance	22,319,561	0	0
Change in Cash Reserve	(333,553)	0	21,986,008
Ending Cash Reserve Balance	21,986,008	0	21,986,008

Number of Regulants

Current Month	313,696
Previous Biennium-to-Date	305,097