

BOARD FOR BARBERS AND COSMETOLOGY

TENTATIVE AGENDA November 18, 2024

9:00 a.m., Board Room 4, Second Floor

**Department of Professional and Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233**

I. CALL TO ORDER

II. EMERGENCY EVACUATION PROCEDURES

III. INTRODUCTION OF NEW AGENCY STAFF AND BOARD MEMBERS

IV. APPROVAL OF AGENDA

- a. Board for Barbers and Cosmetology Board Meeting Tentative Agenda, November 18, 2024

V. APPROVAL OF MINUTES

- a. Board for Barbers and Cosmetology RAP Draft Minutes, September 23, 2024
- b. Board for Barbers and Cosmetology Meeting Draft Minutes, September 30, 2024

VI. PUBLIC COMMENT PERIOD *

VII. CASES

- | | | | |
|---------------|-----------------------------|--------|--------------|
| 1. 2023-01146 | Sammie Leary | (Dang) | Disciplinary |
| 2. 2024-02694 | Super Hair's Beauty Academy | | Prima Facia |

VIII. REPORTS

- a. Examination Statistics
- b. Regulatory Report
- c. Executive Director Report

IX. NEW BUSINESS

- a. Report on 2024 New Board Member Training Conference
- b. Fast-Track Fee Increase

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X. REMINDERS

XI. 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 appropriate accommodation. The Department and Board fully comply with the Americans with Disabilities Act.

2025 MEETING DATES:

January 6, 2025

March 31, 2025

May 12, 2025

July 21, 2025

September 29, 2025

November 17, 2025

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PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

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BOARD FOR BARBERS AND COSMETOLOGY

REGULATORY ADVISORY PANEL

MINUTES OF MEETING

The Board for Barbers and Cosmetology, Esthetics Regulatory Advisory Panel met on Monday, September 23, 2024, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd floor board room 2, Richmond, Virginia.

The following members were present:

Margaret LaPierre
Laura Todd
Meredith Harrison
Deborah Maffie
Christine Werne
Dr. Joseph Schibner

The following members were not present:

Oanh "Tina" Pham Kim Dang
Kelly Hurt
Renee Gilanshah

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

Kelley Smith, Executive Director
Tamika Rodriguez, Regulatory Operations Administrator
Wendy Duncan, Licensing Operations Administrator
Joseph Haughwout, Regulatory Affairs Manager
Heather Garnett, Administrative Coordinator

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

Ms. LaPierre, Board Chair, called the Board for Barbers and Cosmetology, Regulatory Advisory Panel meeting to order at 10:07 a.m.

Call to Order

Ms. LaPierre read the Department of Professional & Occupational Regulations mission and announced several meeting reminders.

Mission

Ms. Smith, Executive Director, explained the emergency egress procedure for board room 2.

Emergency Egress

Panel members and staff introduced themselves.

Introductions

Ms. LaPierre opened the Public Comment period of the Regulatory Advisory Panel Meeting.

Public Comment

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Matt England addressed the Panel concerning reduction to the curriculum hours would risk the health and safety of the public.

Ms. Smith presented the survey results of the esthetics survey based on the Panel's submissions. Ms. Smith informed the panel the survey results and panel discussion will be presented to the Board for determining if curriculum hours should decrease, the addition of training topics, or an esthetics and master esthetics combined license.

The Panel reviewed and discussed the survey results.

Ms. Todd requested the record show: Is it the intent of the Board to go with the median score?

Ms. Smith informed the Panel the compiled answers to the survey are shown in the presented PowerPoint. The scores of low, high, average, and median will be presented to the Board along with Panel discussion, the Board will make the final decision.

Panel recessed from 11:35 a.m. – 12:10 p.m.

The Panel continued the review and discussed the esthetics survey results.

Ms. Smith informed the Panel that board staff will send a poll to panel members to determine the next meeting to discuss the master esthetics survey results and performance numbers.

There being no further business, Ms. LaPierre adjourned the meeting at 2:26 p.m.

Margaret LaPierre, Board Chair

Brian P. Wolford, Board Secretary

**Overview of
Regulatory
Advisory Panel**

Break

**Continue of
Overview of
Regulatory
Advisory Panel**

**Next Regulatory
Advisory Panel
Meeting**

Adjourn

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Virginia Board for Barbers and Cosmetology

Regulatory Advisory Panel on Esthetics
September 23, 2024

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Agenda

- RAP Member Introduction
- Overview of Surveys
- Discussion
- Final Recommendations

Panel Members

- Oanh “Tina” Dang, Board Member, Cosmetologist
- Margaret LaPierre, Board Vice Chair, Master Esthetician
- Renee Gilanshah, Board Member, Master Esthetician
- Meredith Sells Harrison, School Owner/Operator
- Joseph Schribner, PhD, School Owner/Operator
- Laura Todd, School Owner/Operator
- Christine Werne, School Owner/Operator
- Deborah Maffie, Master Esthetician
- Kelly Hurt, Esthetician

Panel Task

- Review Virginia Esthetic and Master Esthetic Curriculum items in line with statutory requirement: “least restrictive means”
 1. Is there a specific health, safety, or welfare harm this will prevent? If so, identify the harm.
 2. Is training the least restrictive means to address this harm?
 3. If yes, what is the fewest number of hours to ensure the student can perform the service safely?

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Overview of Basic Esthetics Surveys

- Short Answer Questions:
 - Ratio: Yes/No
 - Common Responses
- Overall hours
 - Lowest –
 - Highest –
 - Average –
 - Median –

Scope of Practice – 54.1-700

- "Esthetics" includes, but is not limited to, the following practices of administering cosmetic treatments to enhance or improve the appearance of the skin: cleansing, toning, performing effleurage or other related movements, stimulating, exfoliating, or performing any other similar procedure on the skin of the human body or scalp by means of cosmetic preparations, treatments, or any nonlaser device, whether by electrical, mechanical, or manual means, for care of the skin; applying make-up or eyelashes to any person, tinting or perming eyelashes and eyebrows, and lightening hair on the body except the scalp; and removing unwanted hair from the body of any person by the use of any nonlaser device, by tweezing, or by use of chemical or mechanical means. However, "esthetics" is not a healing art and shall not include any practice, activity, or treatment that constitutes the practice of medicine, osteopathic medicine, or chiropractic. The terms "healing arts," "practice of medicine," "practice of osteopathic medicine," and "practice of chiropractic" shall mean the same as those terms are defined in § [54.1-2900](#).
- "Master esthetician" means a licensed esthetician who, in addition to the practice of esthetics, offers to the public for compensation, without the use of laser technology, lymphatic drainage, chemical exfoliation, or microdermabrasion, and who has met such additional requirements as determined by the Board to practice lymphatic drainage, chemical exfoliation with products other than Schedules II through VI controlled substances as defined in the Drug Control Act (§ [54.1-3400](#) et seq.), and microdermabrasion of the epidermis.

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Panel Hour Recommendations

	Low	High	Avg.	Median	Current	
Orientation and business topics		8	33	18.2	16	25
Laws and Regulations		1.5	10	7.4	10	10
General Sciences		34	264	88.5	64.5	80
Applied Sciences		25.5	188	87.3	90.5	95
Skin Care		68.5	455	224	194	255
Makeup		13	120.5	60.8	60.8	65
Body and Other Treatments		4.5	42	19.6	17	20
Hair Removal		4	105	42.2	36.5	50
TOTAL		144	1185.5	548	489.3	600

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Overview of Surveys – Orientation and Business Topics: School Policies

- Health/Safety Concern? 4:3 Yes
 - Yes reasoning: It is important to set forth rules regarding students safely attending school and providing services to the public. This topic also includes explanations related to introduction to health and safety in the clinic and sets expectations, standards and core values of the educational institution.
 - No reasoning: No specific harm to the public.
- Training Least Restrictive Manner to Mitigate? 4:3 Yes
 - Yes: Students need to be taught this and have Q&A. It could also be provided in a written document and covered in class.
 - No: Could be posted on the school's website and covered in a student handbook.
- Minimum Hours Required?
 - Range: 1 to 4.5; Average: 2.5 Median: 2

Overview of Surveys – Orientation and Business Topics: Management

- Health/Safety Concern? 5:2 Yes
 - Yes reasoning: The topic of Management covers many things related to managing the business such as developing systems and processes, employee chemists to ensure compliance with state regulation and infection control standards, inventory or misuse of products. All related to the health and safety of the public.
 - No reasoning: No specific harm to the public.
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: Written information with theoretical support from an instructor.
 - No: Least restrictive would be a document.
- Minimum Hours Required?
 - Range: 1 to 6.5; Average: 2.7 Median: 2

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Overview of Surveys – Orientation and Business

Topics: Sales, Inventory and Retailing

- Health/Safety Concern? 5:2 Yes
 - Yes reasoning: Teaching students to know the skill of sales and inventory will ensure clients do not misuse products at home. Will also help prevent the sale of expired products that could cause harm and usage of best products to address skincare concerns.
 - No reasoning: No specific harm to the public but is important for those hoping to own a business.
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: Written information with theoretical support from an instructor. Not all students learn by reading and students tend not to study this topic if not taught by an instructor.
 - No: Least restrictive would be a document.
- Minimum Hours Required?
 - Range: 1 to 6.5; Average: 2.7; Median: 2

Overview of Surveys – Orientation and Business

Topics: Taxes and Payroll

- Health/Safety Concern? 4:3 No
 - Yes reasoning: It's important to understand types of workers and tax liabilities.
 - No reasoning: No specific harm to the public but is important for those hoping to own a business.
- Training Least Restrictive Manner to Mitigate? 4:3 Yes
 - Yes: Written information with theoretical support from an instructor. Not all students learn by reading and students tend not to study this topic if not taught by an instructor.
 - No: Least restrictive would be a document.
- Minimum Hours Required?
 - Range: 1; Average: 1; Median: 1

Overview of Surveys – Orientation and Business

Topics: Insurance

- Health/Safety Concern? 5:2 Yes
 - Yes reasoning: It's important to understand the meaning of insurance and how it's important to maintain as a professional to safeguard yourself and clients.
 - No reasoning: No specific harm to the public but is important for those hoping to own a business.
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: Written information with theoretical support from an instructor. Not all students learn by reading and students tend not to study this topic if not taught by an instructor.
 - No: Least restrictive would be a document.
- Minimum Hours Required?
 - Range: 1 to 3; Average: 1.7; Median: 2

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Overview of Surveys – Orientation and Business Topics: Client Records and Confidentiality

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Client safety is directly related to client records and confidentiality. Specific harm includes HIPAA violations, potential client safety and product reactions.
 - No reasoning: No specific harm to the public.
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: Written information with theoretical support from an instructor. Not all students learn by reading and students tend not to study this topic if not taught by an instructor. It has a deeper meaning when students are discussing client's skin conditions, medication or students are learning to respect these documents pre and post service.
 - No: Least restrictive would be no document.
- Minimum Hours Required?
 - Range: 1 to 6.5; Average: 3.5; Median: 2

Overview of Surveys – Orientation and Business Topics: Professional Ethics and Practices

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: An Esthetician's ethics include adhering to the scope of practice of their profession, referring clients to the appropriate qualified health practitioner when indicated, as well as offering services only within the scope of practice as defined by the state within which they operate, if required.
 - No reasoning: No specific harm to the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: Written information with theoretical support from an instructor. Not all students learn by reading and students tend not to study this topic if not taught by an instructor.
 - No: Least restrictive would be a document.
- Minimum Hours Required?
 - Range: 2 to 5; Average: 4; Median: 5

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Overview of Surveys – Laws and Regulations

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: The laws and regulations are set forth by the state to ensure public safety. There must be a very clear understanding of what the state defines as regulatory requirements for the practitioner including but not the health and safety criteria, infection control processes and limits to scope of practice.
 - No reasoning: No specific harm to the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: Written information with theoretical support from an instructor. Students tend not to study this topic if not taught by an instructor. Not all laws and regulations are written in "plain speak". Recommend consolidating the curriculum by removing topics from Master Esthetics curriculum and covering it entirely in Basic.
 - No: Least restrictive would be a document or sending to DPOR website.
- Minimum Hours Required?
 - Range: 1.5 to 10; Average: 7.4; Median: 10

Panel Hour Recommendations

	Low	High	Avg.	Median	
Orientation and business topics (School policies)	1	1	4.5	2.5	2
Orientation and business topics (Management)	1	1	6.5	2.7	2
Orientation and business topics (Sales, Inventory and retailing)	1	1	6.5	2.8	2
Orientation and business topics (Taxes and payroll)	1	1	1	1	1
Orientation and business topics (Insurance)	1	1	3	1.7	2
Orientation and business topics (Client records and confidentiality)	1	1	6.5	3.5	2
Orientation and business topics (Professional ethics and practices)	2	2	5	4.0	5
ORIENTATION - TOTAL	8	8	33	18.2	16
Laws and Regulations	1.5	1.5	10	7.4	10
LAWS - TOTAL	1.5	1.5	10	7.4	10

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Overview of Surveys – General Sciences:

Bacteriology

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Without a good foundation of germs, bacteria, and safety, this could lead to the spreading of germs, cross-contamination of products and instruments, and not keeping a business or workstation clean. When this happens, this could endanger the health of the public and practitioners.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This is important and students tend to not study a subject if they are not taught this by a live instructor. It's important to have time to give examples and give discussion time to students. Recommend consolidating the curriculum by removing from Master Esthetics curriculum and covering it entirely in Basic.
- Minimum Hours Required?
 - Range: 3 to 80; Average: 15; Median: 5

Overview of Surveys – General Sciences:

Microorganisms

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Professionals must understand the science behind microorganisms in order to prevent the spread of pathogenic microorganisms in the workplace and avoid the spread of disease and illness.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: Written information with theoretical support from an instructor. Cannot be delivered only by written document handed out. Written information without the full educational process would not achieve the goal.
- Minimum Hours Required?
 - Range: 2 to 80; Average: 14; Median:

Overview of Surveys – General Sciences: Infection Control, Disinfection and Sterilization

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Learning infection control keeps the public safe. Proper infection control, disinfection, and sterilization procedures are imperative to protecting the health, safety, and welfare of practitioners, fellow employees, and the general public. When appropriate infection control is not performed, serious illness could cause harm, for example, proper sanitation of treatment area and facial implements.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: Must be demonstrated and overseen until it becomes routine. Recommend consolidating the curriculum by removing this topic from the master esthetics curriculum and covering it entirely in the professional curriculum.
- Minimum Hours Required?
 - Range: 5 to 16; Average: 9.5; Median: 10

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Overview of Surveys – General Sciences: OSHA Requirements

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Appropriate instruction of OSHA requirements ensures all practitioners abide by the same safety standards to protect the public's health, safety, and welfare. Work with chemicals that when not stored properly, can cause health problems for everyone involved.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: Written information with theoretical support from an instructor. Cannot be delivered only by written document handed out. Written information without the full educational process would not achieve the goal.
 - No: (1) Online with the information presented in the textbooks with a quiz to complete, (2) PowerPoint slides, and (3) students should be given in hard copy or a link to OSHA of the regulations as they pertain to the esthetics industry.
- Minimum Hours Required?
 - Range: 1 to 2; Average: 1.7; Median: 2

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Overview of Surveys – General Sciences: Safety

Data Sheet

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Appropriate instruction of OSHA requirements ensures all practitioners abide by the same safety standards to protect the public's health, safety, and welfare. Work with chemicals that when not stored properly, can cause health problems for everyone involved.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: Written information with theoretical support from an instructor. Cannot be delivered only by written document handed out. Written information without the full educational process would not achieve the goal.
 - No: (1) Online with the information presented in the textbooks with a quiz to complete, (2) PowerPoint slides, and (3) In-class, students should be shown the proper way to organize and keep SDS information on all products used in the spa setting.
- Minimum Hours Required?
 - Range: 1 to 2; Average: 1.5; Median: 1.5

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Overview of Surveys – General Sciences: General Procedures and Safety Measures

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Each treatment and safety process has specific procedures and safety measure relies upon general sciences such as chemistry, cosmetic chemistry, infection control, and therefore, understanding safety procedures is imperative to prevent risk to health welfare and safety.
 - No reasoning: Needs further definition.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: Although textbooks are valuable resources, sometimes the information contained is from a limited pool of contributors or becomes outdated. Also student's need to be supervised to instruct on their unique learning styles
 - No: N/A
- Minimum Hours Required?
 - Range: 0 to 25; Average: 10.4; Median: 12

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Overview of Surveys – General Sciences: Cosmetic Chemistry

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Understanding chemistry, chemical safety, ingredients, contraindications, cosmetic chemistry are key to all processes an esthetician requires to perform and it is related to safety.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: Written information without theoretical support from an instructor to include practical application would not be sufficient for effective training. Instructor interaction via online or in person theory reinforced with hands-on practical application promotes safe practicing technicians in the state of Virginia.
 - No: This course material could be taught in an online format to correspond with the textbook and a quiz to be completed.
- Minimum Hours Required?
 - Range: 10 to 24; Average: 14.3; Median: 10

Overview of Surveys – General Sciences: Products and Ingredients

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Understanding products and ingredients will ensure we are using the correct products on clients and not causing harm to their skin or causing allergic reactions. Especially since "cosmetic products, ingredients and their labeling do not require FDA approval" as cited by data in the fda.gov website.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: Written information without theoretical support from an instructor to include practical application would not be sufficient for effective training. This section can be taught in an online format and in the classroom. Online, the students can be introduced to the product types and ingredients as presented in the textbook and have a quiz to complete. In the classroom, when students are presented with different products (from different product manufacturers), they need to understand why certain ingredients are in the product, their function, proper application, client consideration, and contraindications.
- Minimum Hours Required?
 - Range: 10 to 28.5; Average: 18.4; Median: 18

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Overview of Surveys – General Sciences:

Nutrition

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Nutrition is essential to our bodies and how they function. Our skin and hair are a good representation of our overall health. Students need to be taught this and how to be healthy. What foods are beneficial to the skin and hair and which are not. There are a variety of vitamins used in skin care products and they all effect the skin differently. This needs to be taught.
 - No reasoning: No specific harm to health, safety or welfare of the public. May be outside the scope of practice for an esthetician. Cannot diagnose/treat diseases and disorders of the skin or recommend food.
- Training Least Restrictive Manner to Mitigate? 4: Yes
 - Yes: Written information without theoretical support from an instructor to include practical application would not be sufficient for effective training. Instructor needs to make the role of the esthetician clear.
 - No: This section could be taught online.
- Minimum Hours Required?
 - Range: 2 to 6.5; Average: 3.7; Median: 3

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Panel Hour Recommendations

	Low	High	Avg.	Median
General Sciences (Bacteriology)	3	80	15	5
General Sciences (Microorganisms)	2	80	14	3
General Sciences (Infection control, disinfection, sterilization)	5	16	9.5	10
General Sciences (OSHA requirements)	2	2	1.7	2
General Sciences (Safety Data Sheet)	1	2	1.5	1.5
General Sciences (General procedures and safety measures)	0	25	10.4	12
General Sciences (Cosmetic chemistry)	10	24	14.3	10
General Sciences (Products and ingredients)	10	28.5	18.4	18
General Sciences (Nutrition)	2	6.5	3.7	3
GENERAL SCIENCES - TOTAL	34	264	88.5	64.5

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Overview of Surveys – Applied Sciences: Anatomy and Physiology

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Estheticians need to understand how the human body functions as an integrated whole. Estheticians must understand the effect that services will have on tissues organs and body systems. If a student is touching the body, they need to know how it functions. They need to know about muscles and how they work to prevent harm in massage and stretching. Knowledge of how cells grow and multiply and how cells group to become tissues and organs and body systems is essential to our work on the body. The skin and muscles are affected by many functions of the body.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: Written information without theoretical support from an instructor to include practical application would not be sufficient for effective training. Physical injury as it pertains to improper massage techniques during treatments. Skin physiology is absolutely critical to the curriculum.
 - No: This section can be taught online. Students can be introduced to terminology as it is presented in the textbook and have a quiz to complete.
- Minimum Hours Required?
 - Range: 3 to 26; Average: 19.2; Median: 22.5

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Overview of Surveys – Applied Sciences: Skin Structure and Function

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: The study of skin Physiology and Histology includes learning about the structure and function of the skin, layers of the skin, specialized cells, functions of the skin and includes physical and chemical processes, the aging process as well as interpreting the effects of UV damage, hormonal influences and nutrition and its effects on skin health. Developing an understanding of your client's unique skin characteristics and responses can help you provide safe treatment and homecare recommendation. Without understanding the underpinning knowledge, it could endanger the client's health and safety.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: Written information without theoretical support from an instructor to include practical application would not be sufficient for effective training.
 - No: This section can be taught in an online format to learn terminology and introduce them to different skin types, how the skin functions, and how it receives product ingredients. In the classroom, this information will go in line with what they will learn when it comes to the practical application of product on the skin.
- Minimum Hours Required?
 - Range: 6 to 30; Average: 20.2; Median: 25

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Overview of Surveys – Applied Sciences: Skin

Types

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Without correctly identifying skin type, a practitioner may use a product or ingredient that could harm the skin (burning, rashes, hyperpigmentation). Working with an individual of multi-ethnic DNA should be added to the curriculum. Just following the guidelines of the Fitzpatrick scale is no longer relevant to today's population.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: Dialogue and practice of skin analysis on the practical floor is an integral part of instruction of this topic.
- Minimum Hours Required?
 - Range: 4.5 to 20; Average: 11.6; Median: 6

Overview of Surveys – Applied Sciences: Skin Conditions

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Must understand skin conditions otherwise they could exasperate a skin condition and they need to understand who should or should not be treated according to the indications and contraindications as listed by the manufacturer's instructions. Additionally, some skin conditions are a focal point for esthetician treatments. Sun damage is also considered a skin condition which is a focal point for estheticians. Estheticians can provide calming facials for clients who have rosacea that is under control by a physician. There are many skin conditions that estheticians work on. Estheticians need to understand the underpinning knowledge related to the skin.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: Instructor guided training is necessary to ensure a proper perspective and to cross reference theoretical cosmetic products and ingredients.
- Minimum Hours Required?
 - Range: 6 to 54; Average: 19.5 Median: 15

Overview of Surveys – Applied Sciences: Diseases and Disorders of the Skin

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Disease prevention, and recognition are essential to prevent harm to the client and to the esthetician. Needing to understand what the disease or disorder is and how to prevent the spread of the disease or disorder is essential to the licensed professional.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: Although we cannot diagnose diseases or disorders, it is important to recognize anything that could be potentially infectious and to help guide the studentsationally through diseases and disorders of the skin.
 - No: This topic could be taught online and in the classroom during client consultation, application of products, and performing a facial.
- Minimum Hours Required?
 - Range: 6 to 26; Average: 16. Median: 18

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Panel Hour Recommendations

	Low	High	Avg.	Median
Applied Sciences (Anatomy and physiology)	8	26	19.2	22.5
Applied Sciences (Skin structure and function)	6	30	20.2	25
Applied Sciences (Skin types)	5	20	11.6	10
Applied Sciences (Skin conditions)	8	54	19.9	15
Applied Sciences (Diseases and disorders of the skin)	6	26	16.4	18
APPLIED SCIENCES - TOTAL	25.5	156	87.3	90.5

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Overview of Surveys – Skin Care: Health Screening

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Estheticians must know how to perform accurate health screenings to determine if a client is an appropriate candidate for the treatment. If they are not, performing that treatment without accurate health screening would possibly harm the client. For example, if a client has epilepsy and the Esthetician does not know to ask for that, they could potentially trigger a seizure just from simply looking at their skin under a mag lamp. There are many different conditions that an Esthetician must be familiar with in order to determine if that condition would contraindicate the person or if they should proceed with caution..
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This topic could be taught online and in the classroom during client consultation. The practitioner needs to have a thorough understanding of how to perform a client consultation, and what questions to ask regarding health concerns, medications, surgeries, and client expectations. This will help the practitioner to choose the best products for the right skin concerns so the client will have the desired results.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Minimum Hours Required?
 - Range: 3 to 20; Average: 14.1; Median: 10

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Overview of Surveys – Skin Care: Skin Analysis and Consultation

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Estheticians must know how to perform accurate skin analysis and consultations to determine if a client is an appropriate candidate for treatment. If they are not performing that treatment without providing an in-depth consultation and analysis could cause harm to the client. Estheticians must be familiar with many different skin conditions and how they appear on the skin. Clients may have different verbiage, so consultation skills are needed in order to truly understand what the client is saying.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This topic should be taught in the classroom and students need to have face time with clients to determine skin type, hydration, facial structure, and review the client's intake information. This topic is also addressed in the master esthetics curriculum, along with a deeper dive into anatomy, skin structure and functions, and should be kept in the curriculum. It should be taught with a view toward the relevance of master modalities (indications/contraindications).
- Minimum Hours Required?
 - Range: 6 to 45; Average: 24.4; Median: 20

Overview of Surveys – Skin Care: Effleurage and Related Movements and Manipulations of the Face and Body

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: This is part of the treatment protocol and it must be implemented safely. To be able to do so the esthetician must have the underpinning knowledge to do so. Some of these are related to different skin conditions. Massage is used in essentially every service we perform. Lymphatic drainage is also happening with massage and understanding how to massage a muscle to prevent harm an injury to the clients is essential.
 - No reasoning: No specific harm to health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: Training should be performed in person so that students can learn and practice movements. Recommend board consider removing lymphatic drainage to body an face from the masters curriculum. Massage therapists need specialty training beyond basic massage therapy to perform this movement correctly and well. If kept in the curriculum, recommend limiting its application to the face, neck and décolleté and reduce the number of practicals to 20).
 - No: Learning the different massage techniques can be taught online in theory, but for the practical portion, this should be done in the classroom. Students need to have a good understanding of a person's skin, and facial structure, as well as how much pressure is to be applied when using different massage techniques.
- Minimum Hours Required?
 - Range: 5 to 25; Average: 17.3; Median: 20

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Overview of Surveys – Skin Care: Cleansing Procedures

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Improper cleansing of the skin is more of a health issue than one that will do harm. Cleansing of the skin is primary in skincare. The client's skin should be cleansed thoroughly before any kind of skincare treatment. If makeup or other topicals are not removed at the beginning of the treatment, they could interact with products or equipment that may be used on the skin.
 - No reasoning: No specific harm to health, safety or welfare of the public unless incorrect product is selected for use.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: Students need to learn how to cleanse the skin properly without getting product into eyes, nose and mouth. They need proper instruction on how to use techniques as to how to perform this properly and prevent harm to the client.
 - No: No in person is best. Videos could be used to assist in developing/learning routine.
- Minimum Hours Required?
 - Range: 2 to 30; Average: 15.1 Median: 14

Overview of Surveys – Skin Care: Masks

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Using incorrect masking products and/or incorrect movements could potentially allow mask to disperse in the eyes/mouth/nose. Also improper removal/choice of product could cause irritation on the skin and worsen certain skin conditions.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This topic should be taught in the classroom as it involves the application of products to the skin. Product selection should be covered by ingredients section or reiterated in a document with application methods taught in person and on the practical floor.
- Minimum Hours Required?
 - Range: 2 to 25; Average: 13.3; Median: 10

Overview of Surveys – Skin Care: Extraction Techniques

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Extractions must be practiced in order to perform them in a safe and sanitary manner. Performing extractions on a client without enough training could lead to the spread of staph infections among other potentially pathogenic microorganisms. Additionally, clients could have scarring if the extractions are performed incorrectly.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This topic should be taught in the classroom as it involves the application of products to the skin. Product selection should be covered by ingredients section or reiterated in a document with application methods taught in person and on the practical floor. This topic should be taught in the classroom. This procedure involves analyzing the client's skin with a magnifying loop to look at the pores. The practitioner will need to have knowledge of the different types of acne, the difference between a pimple, pustule, and other eruptions in the skin, and the severity of each.
- Minimum Hours Required?
 - Range: 4.5 to 30; Average: 12.5; Median: 10

Overview of Surveys – Skin Care: Machines, Equipment and Electricity

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: This is part of the treatment protocol and it must be implemented safely. To be able to do so the esthetician must have the underpinning knowledge to do so. This is also related to proper tool and equipment selection according to skin type and condition. Estheticians must understand the machines and equipment they use, and electrical safety to determine if a client can receive a machine treatment safely. Equipment safety checks and maintenance is also important. Electrical and equipment safety is important not only for the technician but the client as well.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: In person training is important because every machine is different. The application and use of the electrical equipment must be supervised.
- Minimum Hours Required?
 - Range: 11 to 25; Average: 18.9; Median: 20

Overview of Surveys – Skin Care: Manual facials and treatments

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: There are many different steps used in a facial that require practice with the proper technique in order not to cause harm to the client or the skin. Students should have experience with all skin types and conditions to ensure the ability to practice safely.
 - No reasoning: None provided that contraindications, product ingredients and equipment are observed.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This topic should be taught in the classroom as it involves the hands-on application of product to the skin and manipulation of facial tissue.
- Minimum Hours Required?
 - Range: 10 to 100; Average: 47.9; Median: 50.

Overview of Surveys – Skin Care: Machine, Electrical Facials and Treatments

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: There are many different steps used in a facial that require practice with the proper technique in order not to cause harm to the client or the skin. Students should have experience with all skin types and conditions to ensure the ability to practice safely. Estheticians must know machine, equipment, and electrical safety to determine if a client can receive a machine treatment safely. There are many different types of machines available for Estheticians so they must have a thorough understanding of electrical safety to operate and maintain the equipment they use.
 - No reasoning: None provided that contraindications to product ingredients and equipment are observed.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This topic should be taught in the classroom as it involves the hands-on application of product to the skin and manipulation of facial tissue.
 - This topic needs to be discussed by the board to elaborate what machines are taught. Currently it is not clear what can be used and not used under this license with all the new technologies that are being presented in the industry. The machines that are taught in the professional vs the master's level does not make sense. Why are we able to teach electrical current that goes into the body but can't teach mechanical exfoliation with a machine in this level? This is a topic that can cause harm to the client. THIS TOPIC NEEDS TO BE VISITED.
- Minimum Hours Required?
 - Range: 10 to 100; Average: 47.9; Median: 50

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Overview of Surveys – Skin Care: Machine, Electrical Facials and Treatments

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Estheticians must know machine, electrical facials, and electrical safety to determine if a client is a suitable candidate and can receive the treatment safely. For example, using an electrode on a client with a medical implant or pacemaker could cause injury. Should be consolidated with item g, machines and equipment. This topic needs to be revisited by this panel. The way the regulations are written currently is not up to date with current trends.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: in person training because all of the techniques involved using equipment, such as where to start, determine the baseline, what is the client's normal.
- Minimum Hours Required?
 - Range: 10 to 100; Average: 42.9; Median: 30

Overview of Surveys – Skin Care: General Procedures and Safety Measures

- Health/Safety Concern? 5:2 Yes
 - Yes reasoning: General procedures set the foundation to maintain safety in the workplace and school by ensuring that Estheticians are familiar with appropriate safety measures, should a student or client have an allergic reaction or in the event of emergency.
 - No reasoning: Needs further definition. Taught with previous topics.
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: In person training because the students must be supervised until general procedures and safety measures become natural.
 - No: This topic could be taught in theory to go along with the textbook and quiz. A portion of the hours should be taught in the classroom for clarity.
- Minimum Hours Required?
 - Range: 0 to 45; Average: 17.6; Median: 10

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Panel Hour Recommendations

	Low	High	Avg.	Median	
Skin Care (Health Screening)		3	30	14.1	10
Skin Care (Skin analysis and consultation)		8	45	24.4	20
Skin Care (Effleurage and related movements and manipulations of the face and body)		5	25	17.3	20
Skin Care (Cleansing procedures)		2	30	15.1	14
Skin Care (Masks)			25	13.3	10
Skin Care (Extraction techniques)		4.5	30	12.5	10
Skin Care (Machines, equipment and electricity)		11	25	18.9	20
Skin Care (Manual facials and treatments)		10	100	47.9	50
Skin care (Machine, electrical facials and treatments)		10	100	42.9	30
Skin care (General procedures and safety measures)		0	45	17.6	10
SKIN CARE - TOTAL		53.5	455	224	194

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Overview of Surveys – Makeup: Setup, Supplies and Implements

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: This is the first step to performing the treatment it is imperative to understand how to safely set up and what supplies and implements are needed according to the client, and maintain safety and infection control.
 - No reasoning: No specific harm to health, safety and welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: This topic should be taught in the classroom. Students need to be instructed on implements that are disposable (one-time use), how to set up their workstations, and how to properly clean after each client.
 - No: Could be textbook theory.
- Minimum Hours Required?
 - Range: 1 to 8; Average: 3.6; Median: 3

Overview of Surveys – Makeup: Color Theory

- Health/Safety Concern? 5:2 No
 - Yes reasoning: Although this is not related to safety you cannot perform the procedure without this knowledge. This question is not applicable in this instance.
 - No reasoning: No specific harm to health, safety and welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: This topic can be taught in theory and in the classroom. Skin tones vary and students should have a good foundation on how to blend colors and differentiate between daytime, night time and glamor makeup applications.
 - No: Could be textbook theory.
- Minimum Hours Required?
 - Range: 1 to 5; Average: 3.6; Median: 4

Overview of Surveys – Makeup: Consultation

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Consultation is needed to understand the needs and wants of the client and any possible health issues or problems that need to be recognized and any harm prevented.
 - No reasoning: No specific harm to health, safety and welfare of the public.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This topic should be taught in the classroom. Clients need to have the individual sitting in front of them.
- Minimum Hours Required?
 - Range: 1 to 5; Average: 2.8; Median: 2

Overview of Surveys – Makeup: General and Special Occasion Application

- Health/Safety Concern? 4:3 Yes
 - Yes reasoning: In order to perform makeup in a safe and sanitary manner, you must know how to apply the makeup safely and properly to avoid harm to the client and potential spread of bacteria.
 - No reasoning: No specific harm to health, safety and welfare of the public.
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: This topic should be taught in the classroom. Clients need to have the individual sitting in front of them.
 - No: Written document will work. Students could also perform their practicals on their own time outside of school, providing before/after photos as evidence of their work
- Minimum Hours Required?
 - Range: 1 to 10; Average: 5.1; Median: 5

Overview of Surveys – Makeup: Camouflage

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: This would be determined by the type of camouflage makeup needed by the individual. The practitioner would need to be knowledgeable of skin type, tissue, muscles, etc. Certain makeup could cause skin irritation, rashes, or hyperpigmentation.
 - No reasoning: No specific harm to health, safety and welfare of the public.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: In person training because makeup application works with clients underlying skin tones and theory is theory not actuality.
- Minimum Hours Required?
 - Range: 1 to 5; Average: 2.6; Median: 3

Overview of Surveys – Makeup: Application of False Lashes and Lash Extensions

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Eye injury can result or spread infections disease. No reasoning: No specific harm to health, safety and welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: In person training, theory is only theory. Due of the polymerization of the glue, the client's eye shape and other factors that can be explained but must be experienced in person.
 - No: Further discussion needed on topic.
- Minimum Hours Required?
 - Range: 3 to 50; Average: 21.4; Median:20

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Overview of Surveys – Makeup: Lash and Tinting

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: estheticians could cause eye infections or harm to the client with improper application as well as potentially spread infectious material.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This must be guided in person training. These tinting procedures can cause skin irritation if not applied correctly.
- Minimum Hours Required?
 - Range: 5 to 14.5; Average: 8.9; Median: 10

Overview of Surveys – Makeup: Lash Perming

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Practitioners will need to be knowledgeable of the eye, safety procedures, and products. Improper use of some products may cause damage to the client in the way of damaging the eye, burn the eyelash, or cause an infection.
 - No reasoning: Recommend removing from curriculum. Permanent makeup should require specialty training/certification in addition to esthetics license.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: This must be in person training. These chemicals generally are fast acting and students need supervision as their work is not up to speed in the beginning.
 - No: Recommend removing from curriculum. Permanent makeup should require specialty training/certification in addition to esthetics license.
- Minimum Hours Required?
 - Range: 0 to 10; Average: 7.1; Median: 5

Overview of Surveys – Makeup: Lightning of the Hair on Body Except Scalp

- Health/Safety Concern? 5:2 Yes
 - Yes reasoning: Practitioners will need to be knowledgeable of safety procedures and product ingredients. Improper use of some products may cause damage to the client. Product could burn the skin causing scarring or hyperpigmentation.
 - No reasoning: Not really a service used anymore. Unsure of definition – bleaching?
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: Guided in person training due to the actions of the chemicals and possible contraindications.
 - No: If you can tint you can bleach. This can be taught another way. Recommend removing from curriculum.
- Minimum Hours Required?
 - Range: 0 to 3; Average: 1.6; Median: 2

Overview of Surveys – Makeup: General Procedures and Safety Measures

- Health/Safety Concern? 4:3 Yes
 - Yes reasoning: In order to perform makeup in a safe and sanitary manner, you must have the proper set up. Make-up product and implements must be sanitized and stored properly to prevent infection and spread of bacteria.
 - No reasoning: Needs further definition or remove from curriculum. Safety and general procedures should be covered under each subtopic.
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: In person training and supervision until the actions of the person safely (not double dipping and bracing) applying makeup becomes more natural.
 - No: Recommend removing from curriculum.
- Minimum Hours Required?
 - Range: 0 to 10; Average: 4.1; Median: 4.33

Panel Hour Recommendations

	Low	High	Avg	Median
Makeup (Setup, supplies and implements)	1	8	3.6	3
Makeup (Color theory)	1	5	3.6	4
Makeup (Consultation)	1	5	2.8	2
Makeup (General and special occasion application)	1	10	5.1	5
Makeup (Camouflage)	1	5	2.6	3
Makeup (Application of false lashes and lash extensions)	3	50	21.4	20
Makeup (Lash and tinting)	5	14.5	8.9	10
Makeup (Lash perming)	0	10	7.1	7.5
Makeup (Lightning of the hair on body except scalp)	0	3	1.6	2
Makeup (General procedures and safety measures)	0	10	4.1	4.25
MAKEUP - TOTAL	13	120.5	60.8	60.8

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Overview of Surveys – Body and Other Treatments: Body Treatments

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Many clients who have heart conditions or high blood pressure may not benefit from some body treatments. There are many health and safety issues related to the implementation of body treatments and the esthetician needs to have the underpinning knowledge to understand and safely provide this treatment.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: The types of body treatments could be taught online, but practical application should be done in the classroom.
- Minimum Hours Required?
 - Range: 2 to 12; Average: 6.4; Median: 5

Overview of Surveys – Body and Other Treatments: Body Wraps

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: The practitioner needs to have knowledge of the skin, product ingredients, and the use of spa implements and machines. A person may also experience claustrophobia and the practitioner needs to be able to know how to respond to the client's needs if this happens. There are also many contraindications including, for example, high blood pressure or pacemaker. Additionally, clients with varicose veins should require special consideration and adjustments in treatment.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: In person guided training due to the contraindications listed above
- Minimum Hours Required?
 - Range: 1 to 12; Average: 3.9; Median: 3

Overview of Surveys – Body and Other Treatments: Body Masks

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: There are many contraindications including, for example, high blood pressure or pacemaker. Additionally, clients with varicose veins would require special consideration and adjustments in treatment.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: In person guided training due to the contraindications listed above.
 - No: Should be rolled into body wraps since masks are the most often used product in a body wrap.
- Minimum Hours Required?
 - Range: 1 to 5; Average: 3.9; Median: 3

Overview of Surveys – Body and Other Treatments: Body Scrubs

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: There are various types of body scrubs. The practitioner will know the product ingredients. Improper use of the wrong type of scrub could as a rash, burning, breaks in the skin, and skin sensitivity.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: In person guided training due to the contraindications listed above.
 - No: Should be covered under body treatments.
- Minimum Hours Required?
 - Range: 0 to 3; Average: 1.9; Median: 2

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Overview of Surveys – Body and Other Treatments: Aromatherapy

- Health/Safety Concern? 7:0 Yes
 - Yes reasoning: Essential oils are highly concentrated. Where they may be used safely in a diffuser, topical application should be used with extreme care. Essential oils when applied to a person's skin may cause stinging, burning, and hyperpigmentation, and a skin patch should be done. A practitioner will need to have knowledge of dilution ratios (concentration of the essential oil) that is used before applying them to the skin. Essential oils may also interact with a person's medication or existing health condition, so thorough screening is imperative. There are links to a school that offers education in aromatherapy that will give insight into the complexity of the subject. Aromatherapy is more than merely smelling essential oils. Aromatherapy is a science. In these programs, students also study body systems, contraindications, and chemistry. If estheticians are taught the basics of aromatherapy that are taught in this program, it will offer safety and prevent harm to the public.
- Training Least Restrictive Manner to Mitigate? 5:2 Yes
 - Yes: This topic is in the textbook and taught online. If estheticians want to incorporate aromatherapy in the treatment room, this topic should be more in-depth in the form of an elective. Aromatherapy is a science all by itself, but it is not necessary for licensure.
 - No: Written information would be sufficient.
- Minimum Hours Required?
 - Range: 0.5 to 5; Average: 2.4; Median: 2

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Overview of Surveys – Body and Other Treatments: General Procedures and Safety Measures

- Health/Safety Concern? 5:2 Yes
 - Yes reasoning: There are many procedures and safety measures associated with implementation of body and other treatments. It is important to understand the general procedures and safety measures to provide a safe treatment and environment for your client.
 - No reasoning: Should be addressed under each subtopic.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: This is important and students tend to not study a subject if they are not taught this by a live instructor. It's important to have time to give examples and give discussion time to students. Students need to have hands on instruction on this to prevent injury to the skin.
 - No: Should be addressed under each subtopic.
- Minimum Hours Required?
 - Range: 0.5 to 5; Average: 2.4; Median: 2

Panel Hour Recommendations

	Low	High	Avg.	Median	
Body and other treatments (Body treatments)			12	6.4	5
Body and other treatments (Body wraps)		1	12	3.9	3
Body and other treatments (Body masks)			5	2.6	3
Body and other treatments (Body scrubs)		0	3	1.9	2
Body and other treatments (Aromatherapy)		.5	5	2.4	2
Body and other treatments (General procedures and safety measures)		0	5	2.4	2
BODY AND OTHER TREATMENTS - TOTAL	4.5	42	19.6		17

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Overview of Surveys – Hair Removal: Types of Hair Removal

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Estheticians must know the different types of hair removal to determine which is safe for use on specific clients. For example, waxing may be contraindicated for a client but sugaring might be acceptable as it does not adhere to the epidermis.
 - No reasoning: No specific harm to the health, safety, or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 4:3 Yes
 - Yes: This is important and students tend to not study a subject if they are not taught this by a live instructor. It's important to have time to give examples and give discussion time to students. Students need to have hands on instruction on this to prevent injury to the skin.
 - No: Written document or virtual classroom.
- Minimum Hours Required?
 - Range: 1 to 5; Average: 2.9; Median:

Overview of Surveys – Hair Removal: Wax Types

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Estheticians must know the different types of wax to determine which is safe for use on specific clients. For example, soft wax is best for large body parts, whereas hard wax is most suitable for face and more private areas. There could be physical damage to skin, inc lifting, burns, scarring, product reactions and infection.
 - No reasoning: No specific harm to the health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: This must be done in person so that students have the chance to see the proper consistency of melted wax, a show and tell of you will.
 - No: This topic can be taught online to correspond with the textbook and taking a quiz for competency.
- Minimum Hours Required?
 - Range: 2 to 9; Average: 4.7; Median: 4

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Overview of Surveys – Hair Removal: Tweezing

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Estheticians must know the different types of wax to determine which is safe for use on specific clients. For example, soft wax is best for large body parts, whereas hard wax is most suitable for face and more private areas. There could be physical damage to skin, inc lifting, burns, scarring, product reactions and infection.
 - No reasoning: No specific harm to the health, safety or welfare of the public.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: This must be done in person so that students have the chance to see the proper consistency of melted wax, a show and tell of you will.
 - No: This topic can be taught online to correspond with the textbook and taking a quiz for competency.
- Minimum Hours Required?
 - Range: 1 to 5; Average: 2.5; Median: 2

Overview of Surveys – Hair Removal: Chemical

Hair Removal

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Estheticians should be trained in chemical hair removal in order to understand how to prevent harm to skin, for example, it's important to understand the appropriate duration of time to leave on tissue, as well as be able to assess and recognize proper effectiveness of treatment by skin reaction and avoid burns.
 - No reasoning: Not sure what this is referring to—creams/depilatories are sold OTC and not applied in professional esthetic settings. Recommend removing from the curriculum.
- Training Least Restrictive Manner to Mitigate? 6:1 Yes
 - Yes: It's hard to explain "tension" and "pressure" theoretically.
- Minimum Hours Required?
 - Range: 0 to 15; Average: 4.1; Median: 1

Overview of Surveys – Hair Removal: Mechanical

Hair Removal

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Estheticians could cause harm to the skin if this is done improperly. Being able to apply and remove wax prevents burns, lesions, scarring, and the potential of removing skin.
 - No reasoning: Redundant as it should be covered under tweezing.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This is a vague subject. Although I take this to mean a device that pulls out hair, such a tool with rotating coils, this could also mean "electric tweezers" neither are commonly used in a professional setting. So unless a salon or spa had these devices then I suppose this could be a theory/classroom subject. Isn't threading a mechanical method of hair removal, in the broadest sense of the term? Should be covered under tweezing.
- Minimum Hours Required?
 - Range: 0 to 34; Average: 18.9; Median: 22.5

Overview of Surveys – Hair Removal: Mechanical

Hair Removal

- Health/Safety Concern? 6:1 Yes
 - Yes reasoning: Estheticians could cause harm to the skin if this is done improperly. Being able to apply and remove wax prevents burns, lesions, scarring, and the potential of removing skin.
 - No reasoning: Redundant as it should be covered under tweezing.
- Training Least Restrictive Manner to Mitigate? 7:0 Yes
 - Yes: This is a vague subject. Although I take this to mean a device that pulls out hair, such a tool with rotating coils, this could also mean "electric tweezers" neither are commonly used in a professional setting. So unless a salon or spa had these devices then I suppose this could be a theory/classroom subject. Isn't threading a mechanical method of hair removal, in the broadest sense of the term? Should be covered under tweezing.
- Minimum Hours Required?
 - Range: 0 to 34; Average: 18.9; Median: 22.5

Overview of Surveys – Hair Removal: General Procedures and Safety Measures

- Health/Safety Concern? 5:2 Yes
 - Yes reasoning: Estheticians must know the safety measures and equipment safety related to hair removal processes and procedures. As well as the ability to maintain safety in the workplace and with their equipment during the treatment.
 - No reasoning: No specific harm to the health, safety and welfare of the public.
- Training Least Restrictive Manner to Mitigate? 4:3 Yes
 - Yes: it is important to continue to monitor and guide students through each procedure, generally and for each specific procedure.
 - No: Can be taught online to correspond with the textbook and taking a quiz for competency. Should be covered under each subtopic. Recommend removing.
- Minimum Hours Required?
 - Range: 0 to 37; Average: 9.1; Median: 5

Panel Hour Recommendations

	Low	High	Avg.	Median	
Hair removal (Types of hair removal)			5	2.9	2
Hair removal (Wax types)		2	9	4.7	4
Hair removal (Tweezing)			5	2.5	2
Hair removal (Chemical hair removal)		0	15	4.1	1
Hair removal (Mechanical hair removal)		0	34	18.9	22.5
Hair removal (General procedures and safety measures)		0	37	9.1	5
HAIR REMOVAL - TOTAL	4	105	42.2	36.5	

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BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers and Cosmetology met at 9:00 a.m. on Monday, September 30, 2024, at the Department of Professional and Occupational Regulation Offices, 9960 Mayland Drive, 2nd Floor, Board Room 2, Richmond, Virginia.

The following board members were present:

Margaret B. LaPierre
Gregory Edwards
Oanh "Tina" Pham Kim Dang
Kailey Blakeney
Emmanuel Gayot
Claudia Espinoza
Marques Blackmon

The following board members were not present:

Bo Machayo
Shauna Powell
Kimberly Lewis

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

Brian Wolford, Director
Jeb Wilkinson, Special Assistant to the Director
Stephen Kirschner, Deputy Director, Licensing & Regulatory Programs
Joseph Haughyout, Regulatory Affairs Manager
Kelley Smith, Executive Director
Tamika Rodriguez, Regulatory Operations Administrator
Wendy Duncan, Licensing Operations Administrator
Heather Garnett, Administrative Coordinator

A representative from the Office of the Attorney General was present for the meeting.

Ms. LaPierre, Board Chair, determined a quorum was present and called the meeting to order at 9:16 a.m.

CALL TO ORDER

Ms. LaPierre read the Department of Professional & Occupational Regulations mission and announced several meeting reminders.

Ms. Smith, Executive Director, explained the emergency egress procedure for board room 2.

**EMERGENCY
EGRESS**

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Ms. Smith reintroduced Brian Wolford, DPOR Director and Jeb Wilkinson, DPOR new Special Assistant to the Director.

**INTRODUCTION
OF AGENCY
STAFF**

The Board took the agenda under consideration.

**APPROVAL OF
AGENDA**

Mr. Edwards motioned to approve the agenda, seconded by Mr. Blackmon.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, and Ms. Espinoza. There were no negative votes. The motion carried.

The Board took the minutes of the Board meeting on July 8, 2024, Public Hearing on July 15, 2024, and Regulatory Review Committee meeting on August 6, 2024, under consideration.

**APPROVAL OF
MINUTES AS A
BLOCK**

Mr. Edwards motioned to approve the minutes, seconded by Mr. Blackmon.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, and Ms. Espinoza. There were no negative votes. The motion carried.

Ms. LaPierre read the resolution of Matthew Roberts.

RESOLUTIONS

Commonwealth of Virginia



Department of Professional and Occupational
Regulation
Board for Barbers and Cosmetology
Resolution To

Matthew D. Roberts

Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation of any Board position

WHEREAS, Matthew D. Roberts faithfully and diligently served as a member of the Virginia Board for Barbers and Cosmetology from 2018 to 2024; and

WHEREAS, Matthew D. Roberts has given generously of his knowledge, time, and talent to the Board, including serving as the Board's Chair and Vice Chair, a member of the Board's Standing Committee on Training, the Board's School Transfer Committee, the Board's Examination Committee, the Board's Regulatory Advisory Committee on Cosmetology Training, the Board's Regulatory Review Committee, as well as, chairing numerous Informal Fact-finding Conferences, and providing expertise to the Board as needed; and

WHEREAS, Matthew D. Roberts endeavored always to protect the health, safety, and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Barbers and Cosmetology acknowledges its gratitude and deepest appreciation for the devoted service of Matthew D. Roberts who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Barbers and Cosmetology this thirtieth day of September, in the year two-thousand and twenty-four, that Matthew D. Roberts be given all honors and respect due for his outstanding service to the Commonwealth, its citizens, and the Board for Barbers and Cosmetology; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

Board member Mr. Gayot arrived at 9:22 a.m.

Board Member
Arrival

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Commonwealth of Virginia



Department of Professional and Occupational
Regulation
Board for Barbers and Cosmetology
Resolution To

Sandra G. Smith

WHEREAS, Sandra G. Smith faithfully and diligently served as a member of the Virginia Board for Barbers and Cosmetology from 2020 to 2024; and

WHEREAS, Sandra G. Smith has given generously of her knowledge, time, and talent to the Board, including serving as a member of the Board's Standing Committee on Training, and providing expertise to the Board as needed; and

WHEREAS, Sandra G. Smith endeavored always to protect the health, safety, and well-being of the public by rendering fair and wise decisions, which were in the best interest of the Board and the Commonwealth's citizens; and

WHEREAS, the Board for Barbers and Cosmetology acknowledges its gratitude and deepest appreciation for the devoted service of Sandra G. Smith who is highly regarded by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Barbers and Cosmetology this thirtieth day of September, in the year two-thousand and twenty-four, that Sandra G. Smith be given all honors and respect due for her outstanding service to the Commonwealth, its citizens, and the Board for Barbers and Cosmetology; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

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The Board agreed to these resolutions by consensus.

Ms. LaPierre called the Boards attention to the communications found in the electronic agenda and from Janet Awkard-Rogers and NEHA Body Art Newsletter.

COMMUNICATIONS

There were no questions nor discussion from the Board.

Ms. LaPierre opened the floor for public comment.

PUBLIC COMMENT

Matt England addressed the board with concerns on the esthetics RAP to create a 900 hour training program. Mr. England stated that some of the panel participants did not complete the survey, the Board should be given all survey scores and discussion, and there was not a discussion on administrative hours. The current 600 hour training program is not enough time, reducing hours will hurt the health, safety and welfare of the public.

Laura Todd addressed the Board with concerns on regulations of soaking instruments for 10 mins. Soaking longer than manufacturers recommendation may damage tool, could a disinfectant wipe be used? Could another material rather than sterile cotton be used? Reduction of esthetic training hours give less time for administrative duties.

CASES

Consent Order

In the matter of File Number 2024-01755, Borte Ink Studio LLC, Board members reviewed the Consent Order and report of findings.

File Number 2024-01755, Borte Ink Studio LLC

A Borte Ink Studio LLC representative did not appear at the meeting in person, by counsel, or by any of other qualified representative.

Mr. Edwards motioned to adopt the Consent Order, seconded by Ms. Espinoza.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

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The violations were:

Count 1:	18 VAC 41-50-410.F	\$450.00
Sub-total		\$450.00
Board Costs		\$ 150.00
Total		\$600.00

In the matter of File Number **2024-02312, Farri Ighani**, Board members reviewed the Consent Order and report of findings.

File Number 2024-02312, Farri Ighani

Farri Ighani did not appear at the meeting in person, by counsel, or by any other qualified representative.

Mr. Edwards motioned to adopt the Consent Order, seconded by Ms. Espinoza.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

The violations were:

Count 1:	18 VAC 41-50-420.4	\$1,250.00
Count 2:	18 VAC 41-50-410.A	\$ 300.00
Count 3:	18 VAC 41-50-410.B	\$ 300.00
Count 4:	18 VAC 41-50-410.E	\$ 350.00
Sub-total		\$1,950.00
Board Costs		\$ 150.00
Total		\$2,100.00

Licensing

In the matter of File Number **2024-02349, Edward Watson**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2024-02349, Edward Watson

Edward Watson did not appear at the meeting in person, by counsel, or by any other qualified representative.

Mr. Edwards motioned to accept the recommendation and approve Edward Watson’s application for barber license, seconded by Mr. Blackmon.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

In the matter of File Number **2024-02074, Luis Gerena**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2024-02074, Luis Gerena

Luis Gerena did not appear at the meeting in person, by counsel, or by any other qualified representative.

Mr. Edwards motioned to accept the recommendation and approve Luis Gerena’s application for barber license, seconded by Mr. Gayot.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

In the matter of File Number **2024-02327, George Selleck**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2024-02327, George Selleck

George Selleck did not appear at the meeting in person, by counsel, or by any other qualified representative.

Mr. Edwards motioned to accept the recommendation and approve George Selleck’s application for tattooer license, seconded by Ms. Dang.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

Disciplinary

In the matter of File Number **2023-01791, Oualid Tavari t/a Willys Barbershop & Hair Stylist**, Board members reviewed the record of the

File Number 2023-01791, Oualid Tavari

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Informal Fact-Finding Conference which consisted of the transcript, investigative file, report of findings, and exhibits.

t/a Willys
Barbershop & Hair
Stylist

Oualid Tayari did not appear at the meeting in person, by counsel, or by any other qualified representative.

Mr. Edwards motioned to accept the recommendation which cites a violation for Count 1 and Count 2, seconded by Mr. Blackmon.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

Mr. Edwards motioned to accept the recommended sanctions for Count 1 and Count 2, seconded by Mr. Blackmon.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

The violations and sanctions were:

Count 1:	18 VAC 41-20-280.4	\$ 250.00
Count 2:	18 VAC 41-20-280.4	\$2,500.00
Total		\$2,750.00

In addition, the Board also imposed:

For violation of Count 2, the Board placed Oualid Tayari’s license on probation for a period of 12 months. The terms of the probation shall be: Oualid Tayari must submit a quarterly statement which indicates Oualid Tayari is complying with all the Board’s regulations and further includes a list of all current employees and their license numbers as well as current apprentice name at the time each statement is submitted.

REPORTS

Ms. Duncan called the Boards attention to the examination statistics that was provided in the electronic agenda.

Examination Statistics

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The Board requested to add private school statistics to the report.

Ms. Rodriguez presented the regulatory report that was provided in the electronic agenda.

Regulatory Report

The Board did not have any questions or discussion.

Ms. Smith presented the executive directors report that was provided in the electronic agenda.

Executive Director Report

The Board and Ms. Smith discussed the statistics of disciplinary cases, disciplinary cases are not increasing significantly.

OLD BUSINESS

Ms. Smith informed the Board through the RFP process the new exam vendor selected is Prov, with the continued use of the NIC examinations. Prov will start on January 1, 2025. Board staff, exam department, and Prov will meet on November 21, 2024, with public and private schools.

Exam Contract

There was no Board discussion.

Ms. Smith stated at the July 8, 2024, the Board initiated revising the definitions of cosmetologist and cosmetology which was referred to the Regulatory review Committee, who met on August 6, 2024. The Committee, after significant discussion, proposed the following language for the Board's adoption:

Revising the Definitions of Cosmetologist and Cosmetology

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

"*Cosmetology*" includes, but is not limited to, the following practices: administering cosmetic treatments-administering hair removal, basic cleansing facial treatments to enhance or improve the appearance and/or care of the skin

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and only includes a cleanse, tone, application of a mask and/or moisturizer; manicuring or pedicuring the nails of any person; arranging, dressing, curling, waving, cutting, shaping, singeing, waxing, tweezing, ~~shaving~~ trimming, bleaching, coloring, relaxing, straightening, or similar work, upon human hair, or a wig or hairpiece, by any means, including hands or mechanical or electrical apparatus or appliances, but shall not include hair braiding upon human hair, or a wig or hairpiece, or such acts as adjusting, combing, or brushing prestyled wigs or hairpieces when such acts do not alter the prestyled nature of the wig or hairpiece.

Mr. Gayot motioned to accept the statutory definition of cosmetologist and cosmetology definitions found in Section 54.1-700 of the Code of Virginia as proposed by the Regulatory Review Committee, seconded by Mr. Edwards.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

The Regulatory Review Committee also proposed to require any cosmetologist trained in straight razor shaving prior to September 1, 2024, or who completed a 1,000 hour cosmetology curriculum containing straight razor training and would like to perform straight razor shaving after the effective date of the proposed statutory change would have to pass the Virginia barber exam and become licensed as a barber.

Board staff recommended an alternative to requiring any cosmetologist who would like to perform straight razor shaving after the effective date of any proposed statutory change to take and pass the barber exam. This alternative would allow for any trained cosmetologist to submit proof of training and simply apply for a barber license without taking the exam

Mr. Gayot motioned to accept the proposal of the Regulatory Review Committee to require any cosmetologist who would like to perform straight razor shaving after the effective date of the proposed statutory definition change be required to pass the Virginia barber exam and become a licensed barber, seconded by Mr. Blackmon.

There was no Board discussion.

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The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

Mr. Kirschner informed the Board the recommendation will be sent to the agency Director. The director will send the recommendation to the Cabinet Secretary for policy review. The recommendation will likely be part of the 2026 legislative package for the General Assembly.

NEW BUSINESS

Ms. Rodriguez presented additional revisions supplied in the electronic agenda, to the proposed stages of the general regulatory reviews.

**Proposed Regulatory
Reduction Revision**

Mr. Edwards motioned to re-adopt the proposed stage of the General Review of the Barber and Cosmetology Regulations as presented, seconded by Mr. Blackmon.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

Mr. Edwards motioned to re-adopt the proposed stage of the General Review of the Tattooing Regulations as presented, seconded by Mr. Blackmon.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

Mr. Edwards motioned to re-adopt the proposed stage of the General Review of the Body-Piercing Regulations as presented, seconded by Mr. Blackmon.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

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Mr. Edwards motioned to re-adopt the proposed stage of the General Review of the Esthetics Regulations as presented, seconded by Mr. Blakeney.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

Ms. Smith informed the Board EPICx will update the current licenses and case management database. Barber and Cosmetology will begin EPICx usage in late March, early April 2025. Ms. Garnett presented a demonstration instructional video of EPICx. Mr. Kirschner explained Barber and Cosmetology will have an education module within EPICx and will enable staff to provide examinations. Licensees will print their licenses, DPOR staff will no longer print licenses.

EPICx Update

Ms. Rodriguez informed the Board the public comment period on the proposed stage of the Amendment to Instructor Training Program is complete. There was one public comment.

**Amendments to
Instructor Training
Program Regulatory
Action**

Mr. Edwards motioned to adopt the proposed response to the public comment on the proposed stage of the Amendment to Instructor Training Program as presented, seconded by Ms. Dang.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

Ms. Rodriguez presented the Board with final language of the Amendment to Instructor Training Program in the electronic agenda.

Mr. Edwards motioned to adopt the final language of the Amendment to Instructor Training Program as presented, seconded by Ms. Espinoza.

There was no Board discussion.

The members voting “yes” were Ms. LaPierre, Mr. Edwards, Ms. Dang, Ms. Blakeney, Mr. Blackmon, Ms. Espinoza, and Mr. Gayot. There were no negative votes. The motion carried.

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Ms. LaPierre reminded the Board of the next board meeting scheduled for November 18, 2024, and Board Member Training Conference scheduled for October 10 and 11, 2024.

There being no further business brought before the Board, Ms. LaPierre adjourned the meeting at 10:30 a.m.

Margaret LaPierre, Board Chair

Brian P. Wolford, Board Secretary

REMINDERS

**Next Board Meeting
and New Board
Member Training
Conference**

Adjourn

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Exam Statistics (scores through September 30, 2024)

Barber

- The Barber theory exam pass rates for 2024 are **decreased** from 2023, ranging 40% (2023 48%).
- The Barber practical exam pass rates for 2024 **increased** from 2023 averaging 95% (2023 90%).

Master Barber

- The Master Barber theory exam pass rates for 2024 **increased** from 2023 averaging 29% (2023 20%).
- The Master Barber practical exam pass rates for 2024 **increased** from 2023 averaging 75% (2023 63%).

Cosmetology

- The Cosmetology theory exam pass rates for 2024 are **consistent** with 2023 averaging 48% (2023 48%).
- The Cosmetology practical pass rates for 2024 are **consistent** with 2023 averaging 95% (2023 95%).

Nail Technician

- The Nail Technician theory exam pass rates for 2024 are **consistent** with 2023 averaging 56% (2023 54%).
- The Nail Technician practical pass rates for 2024 **consistent** from 2023 averaging 81% (2023 81%).

Esthetician

- The Esthetician theory exam pass rates for 2024 **decreased** from 2023 averaging 59% (2023 64%).
- The Esthetician practical pass rates for 2024 are **consistent** with 2023 averaging 97% (2023 96%).

Master Esthetics

- The Master Esthetics theory exam pass rates for 2024 are **consistent** with 2023 averaging 75% (2023 73%).
- The Master Esthetics practical pass rates for 2024 are **consistent** with 2023 averaging 99% (2023 99%).

Tattoo

- The Tattoo theory exam pass rates for 2024 **increased** from 2023 averaging 90% (2023 83%).

Permanent Cosmetic Tattooer

- The Permanent Cosmetic Tattooer theory exam pass rates for 2024 **decreased** from 2023 averaging 43% (2023 49%).

Body Piercer

- The Body Piercer theory exam pass rates for 2024 **increased** from 2023 averaging 88% (2023 74%).

Wax Technician

- The Wax Technician theory exam pass rates for 2024 **decreased** from 2023 averaging 68% (2023 77%).
- The Wax Technician practical exam pass rates for 2024 **increased** from 2023 averaging 89% (2023 77%).

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High School Exam Statistics (September 2024)

Barber

- The Barber theory exam pass rates averaged 100%
- The Barber practical exam pass rates averaged 100%

Cosmetology

- The Cosmetology theory exam pass rates averaged 50%
- The Cosmetology practical pass rates averaged 86%

Nail Technician

- The Nail Technician theory exam pass rates averaged 50%
- The Nail Technician practical pass rates – No Practical exams reported for September 2024

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Board for Barbers and Cosmetology
Current Regulatory Actions
as of November 18, 2024

In the Governor's Office:

None

In the Secretary's Office:

None

At Department of Planning and Budget (DPB)/OAG:

None

Public Comment:

None

Completed Public Comment and awaiting Proposed Regulatory Stage:

VAC	Stage	Subject Matter	Date Public Comment period begins and ends	Notes
18 VAC 41-20	NOIRA	General review of Barbering and Cosmetology Regulations	Public comment period began on 12/18/23 and ended on 01/17/24	A general review of the barber and cosmetology regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations provides minimum burdens on regulants while still protecting the public.
18 VAC 41-50	NOIRA	General review of Tattooing Regulations	Public comment period began on 12/18/23 and ended on 01/17/24	A general review of the tattoo regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations provides minimum burdens on regulants while still protecting the public.

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18 VAC 41-60	NOIRA	General review of Body-Piercing Regulations	Public comment period began on 12/18/23 and ended on 01/17/24	A general review of the body piercing regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations provides minimum burdens on regulants while still protecting the public.
18 VAC 41-70	NOIRA	General review of Esthetics Regulations	Public comment period began on 12/18/23 and ended on 01/17/24	A general review of the esthetics regulations was necessary due to the Executive Directive Number One (2022). The regulatory review committee ensured the regulations provides minimum burdens on regulants while still protecting the public.

Completed Public Comment and awaiting Final Regulatory Stage:

VAC	Stage	Subject Matter	Date Public Comment period begins and ends	Notes
18 VAC 41-20 18 VAC 41-70	Proposed	Amendment to the instructor training program	Public comment period began on 05/20/2024 and will end on 07/19/2024	Establish a uniform instructor program among licensed cosmetology, barber, nail, wax, and esthetic schools.

Approved Regulatory Actions

None

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TO: Board for Barbers and Cosmetology
FROM: Kelley Smith, Executive Director
SUBJECT: Executive Director Update
DATE: October 22, 2024

Application Statistics

The table below outlines the number of applications received per calendar year (Jan. 1 – Dec. 31) since 2019 for BCHOP.

2024 ¹	2023 ²	2022	2021	2020	2019
21,943	35,616	40,271	42,021	40,651	45,382

1,000-hour Cosmetology Curriculum School Application Statistics

The table below outlines the number of 1,000-hour Cosmetology Curriculum submissions received by BCHOP.

Received ³	Approved	Terminated	Unresponsive
113	43	9	39

Call Center Telephone Statistics

The table below outlines the number of telephone calls received through BCHOP’s call center per fiscal year (July 1 – June 30).

2025 ⁴	2024 ⁵	2023 ⁶	2022	2021	2020	2019
9,649	19,778	33,894	43,063	36,074	41,837	39,187

Call Center Summary – 09/01/24 – 09/30/24

	Average Wait Time	Average Speed of Answer	Average Abandonment Time	Average Staff	Number of Calls	Call Duration
BCHOP	00:03:03	00:03:12	00:04:38	1.51	2015	
BCHOP - B	00:02:23	00:02:33	00:03:44	1.51	1465	
SUMMARY	00:02:47	00:02:56	00:04:06	3.02	3480	00:05:55

¹ As of 7/31/24

² Missing totals for May 2023 and June 2023

³ As of 10/18/24

⁴ As of 9/30/24

⁵ As of 6/30/24

⁶ Missing totals for May 2023 through August 2023

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

Email Statistics

The table below outlines the number of emails received through BCHOP's email addresses per calendar year (Jan 1 – Dec 31).

2024 ⁷	2023	2022	2021	2020	2019
15,845	22,638	28,441	18,164	14,580	11,071

Board Case Statistics

Since 2020, the Board has adjudicated 500 cases: 337 Disciplinary and 163 Licensing

Disciplinary

Cases - 337: Final Orders - 244; Consent Orders – 93

337 disciplinary cases resulted in the sanctions below:

Revocations-267
Suspensions-1
Probation-6
Fines-\$1,328,950
Board cost-\$13,800

Licensing

Cases – 163
Denied – 19
Conditional approvals – 1

Stakeholder Engagement & Out of Office Events

During the 2024 calendar year, Board staff has the following opportunities to engage with various stakeholders and participate in out of office events. Below is a snapshot of our engagement throughout the year.

July 2024

1. Presenting at the 2024 VATIE Conference.

October 2024

1. October 2, 2024 – Virtual Inaugural Meeting for the Cosmetology Compact Commission
2. October 10-11, 2024 - Board Member Training Conference in Williamsburg, Virginia.

⁷ As of 9/30/24



TO: BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, DEPUTY DIRECTOR, LICENSING AND REGULATORY PROGRAMS
SUBJECT: FEE ADJUSTMENT
DATE: NOVEMBER 11, 2024

DPOR is funded through licensing fees. The Code of Virginia requires DPOR Boards to establish fees that are sufficient to cover their operating expenses. During the 2010's, the Board for Barbers and Cosmetology, along with several other DPOR boards, brought in more revenue than was necessary and ended up with several million dollars surplus. The 2019 General Assembly directed DPOR to spend down its surplus cash reserve through filling vacancies and upgrading its antiquated licensing and enforcement systems. Over the past few years, DPOR has filled vacancies and started development of a new licensing system, which has spent down that cash reserve.

Currently, the Board has been operating at a loss of about \$1 million annually and is expected to exhaust its cash reserve in the next fiscal year (late 2025). To ensure DPOR and the Board have sufficient funds to continue operating, a fee increase is necessary. The Board's last fee increase was in September of 2011. There has been 39% inflation since September of 2011 and Board costs have increased during that time as well. Of particular note is the development costs of the new licensing system and increased staffing costs. DPOR is recommending the fee increase below to provide sufficient revenue to cover all the board's operating and anticipated expenses. We believe this will ensure adequate, but not excessive, revenue for the next decade.

On the following pages, you can find the specific recommended fees. We would target these fees taking effect in July of 2025. The Board can adopt these fees with a motion to "adopt the proposed adjusted fee amounts and authorize staff to begin a fast-track regulatory action."

Financial Position			
	Actual 2022-24 Biennium	Projected 2024-26 Current Fees	Projected 2026-28 Current Fees
Cash Carryforward	\$4,774,147	\$4,126,051	\$916,566
Revenues	\$8,438,726	\$8,302,728	\$9,265,546
Expenditures	\$8,335,078	\$12,160,309	\$14,341,856
Balance	\$4,126,051	\$916,566	-\$4,159,744

Board for Barbers and Cosmetology

		<u>Proposed</u> <u>Fee</u>	<u>Current</u> <u>Fee</u>
<u>Transaction</u>	<u>License Type</u>		
Application	Practitioner	165	105
License by Endorsement	Practitioner	165	105
Renewal	Practitioner	165	105
Reinstatement	Practitioner	330	105
Application	Instructor	185	125
License by Endorsement	Instructor	185	125
Renewal	Instructor	185	150
Reinstatement	Instructor	370	150
Application	Facility	275	190
Renewal	Facility	275	190
Reinstatement	Facility	550	190
Application	School	310	220
Add Program	School	140	100
Renewal	School	310	220
Reinstatement	School	620	220