



**CALIFORNIA STATE BOARD OF
BARBERING AND COSMETOLOGY
ENFORCEMENT COMMITTEE MEETING
MINUTES OF DECEMBER 11, 2014**

**Federico Beauty Institute
1515 Sports Drive
Auditorium Room
Sacramento, CA 95834**

COMMITTEE MEMBERS PRESENT

Richard Hedges
Andrew Drabkin
Joseph Federico

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Marcene Melliza, Board Analyst

COMMITTEE MEMBERS ABSENT

Dr. Kari Williams

1. Agenda Item #1, WELCOME AND INTRODUCTIONS

Mr. Hedges, Board President, called the meeting to order at 10:00 a.m.

2. Agenda Item #2, APPROVAL OF ENFORCEMENT COMMITTEE MEETING MINUTES

Upon motion by Mr. Federico, seconded by Mr. Drabkin, the minutes from the October 16, 2014 Enforcement Committee meeting were approved by a 3-0 vote.

Public Comment

Fred Jones informed the committee that the 2015 WOW date may be moved from April 20, 2015 to April 13, 2015. He will keep the Board updated.

3. Agenda Item #3 DISCUSSION ON UNREGULATED SERVICES BEING OFFERED IN ESTABLISHMENTS AND MEDICAL OFFICES.

Ms. Underwood started the discussion concerning this issue. The inspectors are finding more and more Medical Spas and Establishments having both doctors and estheticians performing services at the same business and no clear line of separating the two. Lasers, needles and other medical devices are being found and accessible to all staff, including the estheticians and/or unlicensed persons. The estheticians are being cited and also being misled by being told that with online

certification or training by the doctor that they can perform these services. Ms. Underwood continued to explain that we do not have regulation stating that needles need to be locked up. The inspectors can only recommend that the establishments do so. The discussion here today is to see what we may be able to do thru regulation to differentiate the two by creating new requirements for these businesses to keep services separate. We need to bring to the table the Medical Board as well as the RN Board to take part in these discussions. Large populations of the Board's estheticians are RN's as well.

Mr. Hedges wants to make sure everyone; the doctors, our licensees and Medical Board are clear on the differences. He offers recommendations on both scenarios as listed below:

For an esthetician working in a Doctor's office:

- Posting an Establishment license in an esthetician's room.
- Locking up needles and making them inaccessible to esthetician.
- The esthetician only uses needles if she/he possesses the appropriate medical license to do so.
- The certifications are only valid if they have the appropriate medical license. (IE: RN, Medical Assistant)

For a doctor working in a licensed salon:

- The doctor must have a separate room within the salon.
- Doctor's license number and name posted on the door.
- Medical services can only be performed by the doctor in person.

Ms. Underwood also suggested the task force consider how we define "a Med Spa" and also consider some type of recognition for that type of establishment. Also, an even bigger issue is the skin peels. It's difficult for estheticians to differentiate between a medical grade peel and a skin peel that falls under their scope of practice.

Mr. Hedges recommended there be a motion to take a request to the Board at the January 12, 2015 Board meeting to attempt to set up a task force with the Medical Board, RN Board and Am Spa, The American Med Spa Association, to deal with our licensees working in a doctor's office and/or a doctor working in one of our licensed establishment. The task force would look into setting up regulations to separate the use of medical appliances from the use of estheticians and barbering appliances. A motion was made by Mr. Federico, and seconded by Mr. Drabkin to take this request to the Board. The motion was passed with a 3-0 vote.

4. Agenda Item # 4 DISCUSSION ON THE IMPLEMENTATION AND ENFORCEMENT OF SB 1159. RELATING TO SECTION 30 OF THE BUSINESS AND PROFESSIONS CODE.

Mr. Hedges began with an overview of the benefits from the passing of this bill. We have a large population of students being trained in our California schools, but because they don't have a social security number they are unable to get a license. Now with the passing of SB 1159 these undocumented workers, can get a Federal Tax ID number and apply for our licenses. Mr. Hedges would like to discuss today ideas on how get this information out to people that aren't fluent in English and would benefit from this new legislation.

Mr. Hedges started by making the following recommendations to the committee:

- Explain the process with handouts via BBC's inspectors to various neighborhoods where it might be of most use, explaining the regulatory process in the appropriate language, as well as English in the simplest terms.
- Work with groups such as the Asian Law Caucus, the United Farm Workers, Latino legislators, Community Colleges, Beauty schools, and professional beauty associations to get this information out.

Mr. Hedges would like an example of a handout for the January 2015 Board meeting packet.

Mr. Federico questioned whether the BreEZE system was able to handle this change.

Mr. Drabkin suggested the Board use social media to get the word out. He also asked if we do any outreach to high schools.

Ms. Underwood believes the BreEZE system should be able to handle this and we can actually implement these requirements prior to the January 2016 deadline. She will be meeting with the Department's legislative office to discuss further details and will be able to provide an update during the January 2015 Board meeting. The Board is already getting calls concerning SB 1159. Ms. Underwood shared that BBC did outreach in 2014 to the Vietnamese community, and plans on doing similar outreach to the Spanish communities in 2015. She also mentioned we would be able to get this information out to our schools, which in turn can provide it to the high schools.

5. Agenda Item # 5, PUBLIC COMMENT

Note: The Board may not discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. [Government Code Sections 11125, 11125 (a)].

The public present did not wish to address the Committee.

6. ADJOURNMENT

With no further business, the meeting was adjourned.