



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY – GOVERNOR Edmund G. Brown JR.
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**CALIFORNIA STATE BOARD
OF
BARBERING AND COSMETOLOGY**

**LEGISLATIVE AND BUDGET COMMITTEE MEETING
MINUTES OF JULY 16, 2017**

Department of Consumer Affairs
2420 Del Paso Road
Sequoia Room, 1st Floor
Sacramento, CA 95834

COMMITTEE MEMBERS PRESENT

Andrew Drabkin, Chair
Jacquelyn Crabtree
Richard Hedges

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Tami Guess, Board Project Manager
Kurt Heppler, Legal Counsel
Marcene Melliza, Board Analyst

COMMITTEE MEMBER ABSENT

Bobbie Jean Anderson

1. Agenda Item #1, CALL TO ORDER/ ROLL CALL/ ESTABLISHMENT OF QUORUM

Richard Hedges called the meeting to order at approximately 11:15 a.m. and confirmed the presence of a quorum.

2. Agenda Item #2, ELECTION OF COMMITTEE CHAIRPERSON

MOTION: Mr. Hedges made a motion, seconded by Ms. Crabtree, to elect Andrew Drabkin as chairperson of the Legislative and Budget Committee for 2017. Motion carried 3 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Committee members voted "Yes": Crabtree, Drabkin, and Hedges.

3. Agenda Item #3, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No members of the public addressed the Committee.

4. Agenda Item #4, APPROVAL OF COMMITTEE MINUTES

- April 20, 2015

MOTION: Mr. Hedges made a motion, seconded by Ms. Crabtree, that the Committee approves the April 20, 2015, Meeting Minutes as presented. Motion carried 3 yes, 0 no, 0 abstain per roll call vote as follows:

The following Committee members voted “Yes”: Crabtree, Drabkin, and Hedges.

5. Agenda Item #5, DISCUSS AND MAKE RECOMMENDATIONS TO THE BOARD REGARDING PROPOSED AMENDMENTS TO TITLE 16, CCR SECTIONS 910, 919, 931, AND 937, TO UPDATE APPLICATION FORMS

Kristy Underwood, the Executive Officer, summarized the form updates, which were included in the meeting packet. She stated the need to reference all forms in regulation.

Mr. Hedges asked for verification that Section 919, Board Approved Trainers and Establishments, maintains that apprentices must agree in writing to work at multiple locations. Ms. Underwood affirmed that it would remain the same.

Mr. Hedges referred to Section 931, Interpreter and Interpreter/Model, and stated the need to ensure that the interpreters do not teach examination materials. Ms. Underwood stated there are safeguards in place.

Public Comment

Jaime Schrabek, of Precision Nails, asked if re-approval of the regulations is required for form updates and if Board approval is separate. Kurt Heppler, Legal Counsel, stated the Board approves Board forms, updates to them, and the regulations.

MOTION: Ms. Crabtree made a motion, seconded by Mr. Hedges, that the Committee approves the proposed revisions to Sections 910, 919, 931, and 937 of the California Code of Regulations as presented. Motion carried 3 yes, 0 no, and 0 abstain per roll call vote as follows:

The following Committee members voted “Yes”: Crabtree, Drabkin, and Hedges.

6. Agenda Item #6, DISCUSS AND MAKE RECOMMENDATIONS TO THE BOARD REGARDING PROPOSED AMENDMENTS TO TITLE 16, CCR SECTION 904, ENFORCEMENT, TO ADD DEFINITIONS

Ms. Underwood summarized the proposed update to Section 904, which was included in the meeting packet. She stated the need to include a more detailed definition of the term “access.”

Mr. Heppler stated “including, but not limited to” is too broad. He suggested changing the language of the proposed Section 904(e) to “For the purposes of Section 7313 of the Business and Professions Code, any establishment, mobile unit, or school shall make available to the Executive Officer and authorized Board representatives for inspection any room where barbering, cosmetology, or electrolysis services are being provided or taught and any drawer, closet, cabinet, or container where the chemicals, tools, or equipment needed for these services is stored.”

Mr. Drabkin questioned how this language would work when services are rendered in office buildings.

Mr. Hedges stated break rooms are also not mentioned.

Mr. Drabkin stated limiting inspections to areas where services are practiced provides the opportunity for illegal items to be hidden in areas where services are not practiced.

Mr. Hedges stated services are being practiced under that roof. Anywhere under that roof should be open to inspection.

Mr. Heppler suggested taking out “including, but not limited to.” Committee Members agreed.

Mr. Heppler suggested changing the phrase “ability of the executive officer” to “authority of the executive officer” in Section 904(e).

Public Comment

Ms. Schragebeck asked for a restatement of the proposed revisions to Section 904(e). She asked what will happen if inspectors encounter evidence of criminal activity.

Ms. Underwood stated there is a process in place for that.

Ms. Schragebeck asked about booth renters who may not wish to comply.

Mr. Hedges stated the regulations and safety to public supersede contracts.

Wendy Jacobs, California Aesthetic Alliance (CAA), asked to open the discussion about individual establishment permits and estheticians who work part-time and share a back room. She stated estheticians are often 1099'd illegally and are not under contract.

Mr. Hedges stated Board Members support individual establishment permits if done correctly, but more inspectors are required before that can be implemented.

MOTION: Mr. Hedges made a motion, seconded by Ms. Crabtree, that the Committee approves the proposed revisions to Section 904 of the California Code of Regulations as revised. Motion carried 3 yes, 0 no, and 0 abstain per roll call vote as follows:

The following Committee members voted “Yes”: Crabtree, Drabkin, and Hedges.

7. Agenda Item #7, AGENDA ITEMS FOR THE NEXT MEETING

Mr. Hedges suggested a report on legislation.

Mr. Drabkin asked to have dialog with authors of legislation on why they tend not to accept Board suggestions.

Ms. Crabtree suggested strategizing about legislation and how to leverage the individuals who want to do what is best for the industry.

8. Agenda Item #8, ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 11:45 a.m.