

BOARD OF BARBERING AND COSMETOLOGY

Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Wednesday, May 30, 2012

Time: 9:00 a.m.

Place: Princess Likelike Conference Room
King Kalakaua Building
335 Merchant Street, 3rd Floor
Honolulu, Hawaii 96813

Present: Lance M. Marugame, Barber Member, Chairperson
Lee Ann Apao, Cosmetology Member, Vice-Chairperson
Alexander Choi, Public Member
Carla M. Morioka, Cosmetology Member
Rodney J. Tam, Deputy Attorney General
Laureen M. Kai, Executive Officer
Lori Nishimura, Secretary

Excused: Angela Howard, Public Member
June J. Takano, Public Member

Guests: Shoko Y. Borja, Pafmo Hawaii, Inc.
Megumi Watanuki, Pafmo Hawaii, Inc.
Lynnette F. McKay, Honolulu Community College

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Hawaii Revised Statutes ("HRS") section 92-7(b).

Call to Order: There being a quorum present, the meeting was called to order at 9:00 a.m. by Chairperson Marugame.

Additions/
Revisions to
Agenda: None.

Minutes of the
April 11, 2012
Board Meeting: It was moved by Vice-Chairperson Apao, seconded by Ms. Morioka, and unanimously carried to approve the minutes of the April 11, 2012 Board Meeting as circulated.

Executive
Session:

At 9:04 a.m., it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried for the Board to enter into Executive Session to consider and evaluate personal information relating to individuals applying for licensure in accordance with HRS section 92-5(a)(1), and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4).

EXECUTIVE SESSION

At 9:45 a.m., it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried for the Board to move out of Executive Session.

Applications:

A. Ratification of Issued Licenses

After discussion, it was moved by Vice-Chairperson Apao, seconded by Ms. Morioka, and unanimously carried to ratify the list of issued licenses attached (see, attached list).

Chairperson Marugame requested that the Board address agenda item D. (2), to accommodate the guests at the meeting; there were no objections.

D. Beauty School License

(2) Pafmo Hawaii, Inc. dba Moe Academy of Aesthetics & Massage

Executive Officer Kai gave a brief summary of the application for Beauty School license for Pafmo Hawaii, Inc. dba Moe Academy of Aesthetics & Massage. An esthetics curriculum will be taught by licensed Instructors, whose beauty operator and instructor licenses were verified as current and valid.

After discussion, it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried to approve the beauty school license for Pafmo Hawaii, Inc. dba Moe Academy of Aesthetics & Massage.

The Board recessed at 9:49 a.m.

At 9:53 a.m., the meeting reconvened.

B. Examination and License

(1) ACKER, Rosalie O. (Barber)

After discussion, it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried to approve the barber application for examination and license for Rosalie O. Acker.

(2) BALLESTEROS, Rodney D. (Barber)

After discussion, it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried to approve the barber application for examination and license for Rodney O. Ballesteros.

(3) KVATEK, Frances S. (Barber)

After discussion, it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried to approve the barber application for examination and license for Frances S. Kvatek.

(4) MOSCOVIC, Sharon A. (Beauty Operator – Cosmetologist)

After discussion, it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried to defer decision making on the beauty operator application for examination and license for Sharon A. Moscovic, and to request additional and clarifying information regarding her experience and training, specifically how her skills in the cosmetology field have been kept updated and consistent with the many changes that have occurred in the profession over the past three decades and are appropriate with the prevailing requirements of the beauty field; further, that the applicant provide this information in writing or in person at one of the upcoming meetings of the Board.

C. Restoration of Licenses

(1) COX, Susan M. (BEO 8748)

After discussion, it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried to approve restoration of the beauty operator's license of Susan M. Cox.

(2) MORIYAMA, Midori (BEO 14586)

After discussion, it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried to approve restoration of the beauty operator's license of Midori Moriyama.

(3) PARRAGA, Penny M. (BEO 7610)

After discussion, it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried to approve restoration of the beauty operator's license of Penny M. Parraga.

(4) WOOLBRIGHT, Sherri A. (BEO 14060)

After discussion, it was moved by Ms. Morioka, seconded by Mr. Choi, and unanimously carried to approve restoration of the beauty operator's license of Sherri A. Woolbright.

D. Beauty School License

(1) Tram's LLC (BSC-34) – Expansion of Facilities

After discussion, it was moved by Vice-Chairperson Apao, seconded by Mr. Choi, and unanimously carried to approve the request from the licensed beauty school, Tram's LLC, to expand its current facilities.

Legislation
and Rules:

A. Hawaii Administrative Rules ("HAR")

(1) Repeal of HAR Section 16-73-29

Board members were reminded that the Board had decided that the proposed repeal of this section would be incorporated into the comprehensive revision of the entire chapter that is pending.

(2) Other Amendments to HAR Section 16-73

Ms. Morioka reported that she had reviewed the latest draft revisions to the chapter and had no additional concerns.

Executive Officer Kai asked that Chairperson Marugame request volunteers or appoint at least one Board member to work on drafting these rule revisions, as Ms. Morioka's term on the Board will end on June 30, 2012. The Chair volunteered to spearhead this project, and mentioned that he would ask Christobal Quintana, Board member effective July 1, 2012 to work with him. Ms. McKay also volunteered to assist.

Scope of Practice:

A. Chemical Peels

Executive Officer Kai stated that Ms. Howard had volunteered to research the issue of chemical peels, and further requested that this agenda item be tabled due to Ms. Howard's excused absence. There were no objections.

B. Fish Pedicures

The Board reaffirmed its prior decision that fish pedicures are disallowed due to sanitation and public health concerns.

Correspondence:

Executive Officer Kai reported that the Board received a copy of a letter from the U.S. Department of Education, Federal Student Aid and Program Compliance ("DOE"), to Remington Colleges, Inc. She verified that Remington Colleges, Inc. ("Remington") was currently licensed as a beauty school in Hawaii. The letter notified Remington that the DOE's financial analysis and assessment of Remington's financial statements had yielded a score that did not meet the DOE's standards of financial responsibility for the school's participation in Title IV (financial aid to students). The continuation of Remington's participation in Title IV is contingent upon the submittal of an irrevocable letter of credit in a specific amount to the DOE within seventy-five (75) days. Should this condition not be met, Remington may be referred to the DOE's Administrative Actions and Appeals Services Group for administrative action, including but not limited to the termination of its participation in the Title IV program.

Discussion ensued on the ramifications of such an administrative action and how Remington's beauty school students may be adversely impacted.

Open Forum: Executive Officer Kai reported to the Board that the beauty school license of Bella Torre Academy Inc. dba Bella Torre Esthetics Academy ("Bella Torre"), BSC 31, had expired on December 31, 2011. She asked the Board to consider whether training hours earned by students enrolled in the school while the school remained unlicensed, would meet the training requirements for licensure.

Mr. Choi stepped out at 10:23 a.m.; due to the resulting lack of quorum, the meeting was recessed.

Mr. Choi stepped back in at 10:25 a.m., and the meeting was reconvened.

DAG Tam stated that qualifying beauty training hours must be gained from a licensed beauty school and further stated that pursuant to HRS section 439-18(c), a lapsed license may be restored upon the payment of all delinquent fees and a penalty fee.

The Board was informed by Ms. McKay that she had been told by an acquaintance that the grand opening of Bella Torre had been recently held. There were questions as to the reason for a grand opening at this time when the school had been licensed since the beginning of June 2011 and also about the physical location of the school.

Vice-Chairperson Apao and Ms. Morioka stepped out at 10:30 a.m.; due to the resulting lack of quorum, the meeting was recessed.

Vice-Chairperson Apao and Ms. Morioka stepped back in at 10:32 a.m., and the meeting was reconvened.

It was noted that it appeared that the school is continuing to operate without a current license. Additionally, if the school had changed its location, that a new beauty school license would be required, as the license is non-transferable.

After discussion, it was moved by Ms. Morioka, seconded by Vice-Chairperson Apao, and unanimously carried to confirm the Board's position that any training hours earned by students while Bella Torre remained unlicensed would not be considered in qualifying for a beauty operator's license, and further for the Executive Officer to send the school a letter notifying it of the delinquent status of its beauty school license and the effect of this unlicensed status on its students' training hours.

Mr. Choi inquired whether the removal of hair from the nose and ears by waxing was allowed to be performed by a licensed beauty operator or barber. After discussion, the consensus of the Board was that as long as the waxing is not performed internally, this procedure is within the scope of practice of an esthetician, cosmetologist, and a barber.

Next Board Meeting: Wednesday, August 8, 2012
9:00 a.m.
King Kalakaua Conference Room
King Kalakaua Building, 1st Floor
Honolulu, Hawaii 96813

Announcements: Board members expressed their appreciation to Ms. Morioka and Ms. Takano (who was excused from the meeting) for their service to the Board, which would end on June 30, 2012.

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 10:53 a.m.

Taken and recorded by:

/s/ Lori Nishimura

Lori Nishimura, Secretary

Reviewed and approved by:

/s/ Laureen M. Kai

Laureen M. Kai, Executive Officer

LMK:ln
06/20/12

[X] Minutes approved as is.
[] Minutes approved with changes. See Minutes of _____

LTYPE	LIC NUM	BP NAME PART 1
BEO	19187	MARLENE L <BROWN<
BEO	19188	JURAN L <FUJITA<
BEO	19189	ATSUYO <GIBSON<
BEO	19190	GAIL L A <PARACUELLES<
BEO	19191	SARAH A <NELSON<
BEO	19192	NYREE S K <SILVA<
BEO	19193	DONNA S <BEARTH<
BEO	19194	ASHLEE A <OTSUKA<
BEO	19195	CHRISTINE K <DOMPIER<
BEO	19196	ALICIA C <HIJIRIDA<
BEO	19197	KALI A <CHO<
BEO	19198	BRANDEE J <DUARTE<
BEO	19199	CHERIE L <CROCKETT-NEELY<
BEO	19200	JACQUELINE I <GISHITOMI<
BEO	19201	SAORI T <KATO<
BEO	19202	KAREN A <BROWN<
BEO	19203	SUMITRA <VIYANAN<
BEO	19204	RACHAEL R <GOODWILL<
BEO	19205	LINDA M <KING<
BEO	19206	SARAHN C <DELOACH<
BEO	19207	JEANNIE L <FIGART<
BEO	19208	KULIA A K <MCGURN<
BEO	19209	JACKIE A <GIBBS<
BEO	19210	JASMINE N A <REIS<
BEO	19211	SHANE M A <KAOLULO<
BEO	19212	CHIZUKA U <PENNER<
BEO	19213	AMBER R <PHILLIPS<
BEO	19214	MIE <KUNUKI<
BEO	19215	MASAKO <TASHIRO<
BEO	19216	MICHELLE R <LONG<
BEO	19217	DANIEL W <TYRRELL<
BEO	19218	ROBIN A <KOEHLER<
BEO	19219	MARIAH C K <TELESA<
BEO	19220	MICHIKO <OSHIMA<
BEO	19221	FALLON D N <ASAHINA<
BEO	19222	RAEQUEL A <CRAWFORD<
BEO	19223	DANIELLE R <GREER<
BEO	19224	MISTI N <MEDRANO<
BEO	19225	QIN <ZHOU<
BEO	19226	EMI <YOKOTA<
BEO	19227	CONTESA A <NEPTUNE<
BEO	19228	KAHEALANI M <YOSHIZAWA-BROWN<
BEO	19229	ARABELLA <HERNANDEZ<
BEO	19230	MIWA S <BURNS<
BEO	19231	CHRISTINE A <ONTIVEROS<
BEO	19232	JAIME L <KAIN<
BEO	19233	CHIYOMI <GRISSOM<
BEO	19234	MONIKA K <SETH<

LTYPE	LIC NUM	BP NAME PART 1
BSH	4851	SHANNAN N <SATO-CHANG<
BSH	4852	SUNSET FADES L L C
BSH	4853	CINDY L <WAIIAU<
BSH	4854	WAX CENTER USA LLC
BSH	4855	ANTHONY K <NGUYEN<
BSH	4856	JEANETTE M <HUTTGER<
BSH	4857	VALENTIN T <DIPAYSA<
BSH	4858	SUSIE L <KAHOONEI<
BSH	4859	DAPHNIE D <MARTINS<
BSH	4860	HOT NAILS SALONS INC
BSH	4861	HOT NAILS SALONS INC
BSH	4862	R L J P COMPANY INC
BSH	4863	MAGGIE CHANLU LLC
BSH	4864	HOANG HUU <NGUYEN<
BSH	4865	HAWAIIAN RAINFOREST LLC
BSH	4866	ANDREA L <MILLER<
BSH	4867	SARAH E <KATSUYOSHI<
BSH	4868	STUDIO B SALON INCORPORATED
BSH	4869	DONG <LE<
BSH	4870	VICKY <NGUYEN<
BSH	4871	LOC CHI <TRAN<
BSH	4872	CREATIONS HAIR DESIGN LLC
BSH	4873	HANNAH G <LOPEZ<
BSH	4874	CHIP J <FISCHER<
BSH	4875	GOLDEN LOTUS SPA LLC
BSH	4876	KATY B <JENKINS<
BSH	4877	DIANE <TRAN<
BSH	4878	THE <FIXX< SALON & SPA
BSH	4879	PAFMO HAWAII INC

LTYPE	LIC NUM	BP NAME PART 1
BAR	3361	MI YOUNG <SMITH<
BAR	3362	TRAM HOANG NGOC <NGUYEN<
BAR	3363	NICOLE KIM <NGUYEN<
BAR	3364	SUNJU <MAHOVLICH<
BAR	3365	JIN BUN <KWON<
BAR	3366	PHUONG TRANG THI <TRAN<
BAR	3367	JOY A <MACADANGDANG<
BAR	3368	CINDY M <VU<
BAR	3369	KAYLIN P <FREITAS<
BAR	3370	CHISOOK <AN<
BAR	3371	ANNA NGUYEN <TRAN<
BAR	3372	DUC HUYNH <VO<
BAR	3373	XI PEI <XU<
BAR	3374	JAIME <CHOI<
BAR	3375	EUN SOOK <MIYASHIRO<
BAR	3376	DE SHENG <RUAN<
BAR	3377	SHAHLA <PARKAS<
BAR	3378	THUY TRANG THI <CHAU<
BAR	3379	VENICE J N <HAYLEY<

LTYPE	LIC NUM	BP NAME PART 1
BAS	1520	NGA LE <SUI<
BAS	1521	MICHAEL I <FUSE<
BAS	1522	CARLOS J <ALERS TORO<
BAS	1523	SAM S <NGUYEN<
BAS	1524	MONA BEAUTY SALON INC
BAS	3950	PARK JUN'S BEAUTY LAB INCORPORATED