State Board of Barber Examiners June 26, 2023

1 2

BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs Dominic A. Muniz, Chairman, Professional Member Ginger Etter, Secretary, Consumer Protection Member Burr L. Edsall, Professional Member Michael McAndrew, Professional Member Charles Seright, Professional Member

BUREAU PERSONNEL:

Dean F. Picarella, Esquire, Senior Board Counsel
Sean C. Barrett, Esquire, Board Counsel
Kenneth J. Suter, Esquire, Board Prosecutor
J. Karl Geschwindt, Esquire, Acting Senior Board
Prosecutor
Valerie Eaton, on behalf of Sharona Evans, Acting

Board Administrator Marc Farrell, Esquire,

Marc Farrell, Esquire, Regulatory Counsel, Office of Chief Counsel, Department of State

ALSO PRESENT:

Scott Yeager, Outreach Manager, Pennie Charles (Chachi) Angelo, Director of External Affairs, Pennie

35 Yvette 36 Corr

Yvette Huffman, SSII, Pennsylvania Department of Corrections Devin Nunemaker

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2 State Board of Barber Examiners

June 26, 2023

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[Pursuant to Section 708(a)(5) of the Sunshine Act, at 9:00 a.m. the Board entered into Executive Session with Sean C. Barrett, Esquire, Board Counsel, for the purpose of conducting quasi-judicial deliberations on a number of matters currently pending before the

10 Board and to receive advice of counsel. The Board

11 returned to open session at 10:30 a.m.]

12

The regularly scheduled meeting of the State Board of Barber Examiners was held on Monday, June 26,

15 2023. Dominic A. Muniz, Chairman, Professional

16 Member, called the meeting to order at 10:32 a.m.

17

18 Pledge of Allegiance

19 [The Pledge of Allegiance was recited.]

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21 [Sean C. Barrett, Esquire, Board Counsel, noted the

22 | meeting was being recorded, and those who continued

23 to participate were giving their consent to be

24 recorded.

25 Mr. Barrett informed everyone that the Board

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4
   entered into Executive Session for the purpose of
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2
   conducting quasi-judicial deliberations on a number
3
   of matters currently pending before the Board and to
   receive advice of counsel.]
4
                              * * *
5
   Introduction of Board Members/Attendees
6
7
   [Valerie Eaton, on behalf of Acting Board
   Administrator, Sharona Evans, provided an
   introduction of Board members and attendees.]
10
11
   Approval of minutes of the April 24, 2023 meeting
   CHAIRMAN MUNIZ:
12
13
                  I'd like to do the approval of minutes
14
                  for April 24, 2023.
15
                       Do I have a motion?
16
   MR. EDSALL:
                  Motion.
17
18
   CHAIRMAN MUNIZ:
19
                  Do I have a second?
20
   MR. SERIGHT:
21
                  Second.
22
   MS. EATON:
23
                  Roll call.
24
25
                  Arion Claggett, abstain; Dominic Muniz,
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5 1 aye; Ginger Etter, abstain; Burr 2 Edsall, aye; Michael McAndrew, aye; 3 Charles Seright, aye. 4 [The motion carried. Arion Claggett and Ginger Etter 5 abstained from voting on the motion.] 6 7 Report of Board Prosecution [Kenneth J. Suter, Esquire, Board Prosecutor, on behalf of Colby B. Widdowson, presented the Consent 10 Agreements for Case No. 22-42-014184 and Case No. 21-11 42-000255.1 MR. BARRETT: 12 13 Based upon the presentation of 14 prosecution, does any member of the 15 Board wish to reenter Executive Session 16 for further deliberations? Okay, 17 hearing none. 18 Based on Executive Session deliberations, I believe the Board 19 20 Chair would entertain a motion to 21 approve the Consent Agreements at Case 22 No. 22-42-014184 and Case No. 21-42-23 000255. 24 CHAIRMAN MUNIZ: 25 Do I have a motion?

6 1 MR. EDSALL: 2 Motion. 3 CHAIRMAN MUNIZ: 4 Second? 5 MR. SERIGHT: 6 Second. 7 MS. EATON: 8 Roll call. 9 10 Arion Claggett, aye; Dominic Muniz, 11 aye; Ginger Etter, abstain; Burr 12 Edsall, aye; Michael McAndrew, aye; 13 Charles Seright, aye. 14 [The motion carried. Ginger Etter abstained from 15 voting on the motion. The Respondent's name for item 4 at Case No. 22-42-014184 is Astro Mundo Barber 16 Shop. The Respondent's name for item 5 at Case No. 17 18 21-42-000255 is Michael E. Dearden.] * * * 19 20 Report of Board Counsel - Motion to Deem Facts Admitted 21 22 MR. BARRETT: 23 At item 6, based upon Executive Session 24 deliberations, I believe the Board 25 Chair would entertain a motion to deny

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the Motion to Deem Facts Admitted at
1
                  Case No. 19-42-005101.
2
3
   CHAIRMAN MUNIZ:
4
                  Do I have a motion?
   MR. EDSALL:
5
6
                  Motion.
7
   CHAIRMAN MUNIZ:
8
                  Could I have a second?
9
   MR. SERIGHT:
10
                  Second.
11
   MS. EATON:
                  Roll call.
12
13
14
                  Arion Claggett, aye; Dominic Muniz,
15
                  aye; Ginger Etter, abstain; Burr
16
                  Edsall, aye; Michael McAndrew, aye;
                  Charles Seright, aye.
17
18
   [The motion carried. Ginger Etter abstained from
19
   voting on the motion.]
                               * * *
20
21
   MR. BARRETT:
22
                  Based on Executive Session
23
                  deliberations, I believe the Board
24
                  Chair would entertain a motion to grant
25
                  the Motions to Deem Facts Admitted and
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		8
1		Enter Default and direct Board Counsel
2		to prepare an Adjudication and Order in
3		accordance with the discussion in
4		Executive Session in the matters of
5		item 7, <u>Joshua Johnson</u> , Case No. 20-42-
6		012315; item 8, <u>Joseph Rosado</u> , Case No.
7		21-42-012244; item 9, <u>Rosados</u>
8		Professional Barbering, Case No. 23-42-
9		000584, and item 10, <u>Lucy Salon</u> , Case
10		No. 22-42-010485.
11	CHAIRMAN MUNI	Z :
12		Do I have a motion?
13	MR. EDSALL:	
14		Motion.
15	CHAIRMAN MUNI	Z :
16		Could I have a second?
17	MR. SERIGHT:	
18		Second.
19	MS. EATON:	
20		Roll call.
21		
22		Arion Claggett, aye; Dominic Muniz,
23		aye; Ginger Etter, abstain; Burr
24		Edsall, aye; Michael McAndrew, aye;
25		Charles Seright, aye.

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1
   [The motion carried. Ginger Etter abstained from
2
   voting on the motion.]
3
4
   Report of Board Counsel- Proposed Adjudication and
5
     Order
   MR. BARRETT:
6
7
                  Based on Executive Session
                  deliberations, I believe the Board
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9
                  Chair would entertain a motion to adopt
10
                  the Proposed Adjudication and Order in
11
                  the matter of agenda item 11, Talento,
12
                  LLC, Case No. 22-42-016251.
13
   CHAIRMAN MUNIZ:
14
                  Do I have a motion?
15
   MR. EDSALL:
16
                  Motion.
   CHAIRMAN MUNIZ:
17
18
                  Do I have a second?
   MR. SERIGHT:
19
20
                  Second.
21
   MS. EATON:
22
                  Roll call.
23
24
                  Arion Claggett, aye; Dominic Muniz,
25
                  aye; Ginger Etter, abstain; Burr
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1
                  Edsall, aye; Michael McAndrew, aye;
                  Charles Seright, aye.
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3
   [The motion carried. Ginger Etter abstained from
4
   voting on the motion.]
                               * * *
5
6
   Report of Board Counsel - Barber Shop Variance
7
     Application
8
   MR. BARRETT:
9
                  At agenda item 12, based on Executive
10
                  Session deliberations, I believe the
                  Board Chair would entertain a motion to
11
12
                  provisionally deny the Variance Request
13
                  of Ace of Fades, Application No.
                  AA0004684236.
14
15
   CHAIRMAN MUNIZ:
16
                  Do I have a motion?
17
   MR. EDSALL:
18
                  Motion.
   MR. SERIGHT:
19
20
                  Second.
21
   MS. EATON:
22
                  Roll call.
23
24
                  Arion Claggett, aye; Dominic Muniz,
25
                  aye; Ginger Etter, abstain; Burr
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Edsall, aye; Michael McAndrew, aye;

Charles Seright, aye.

[The motion carried. Ginger Etter abstained from voting on the motion.]

* * *

Appointment - Pennsylvania Insurance Department Pennie Health Insurance Presentation

[Scott Yeager, Outreach Manager, Pennie, presented to
the Board to provide information about the
Pennsylvania Health Insurance Exchange Authority,
also known as Pennie, for health and dental insurance

options that offers financial assistance.

Mr. Yeager stated Pennie launched November 1, 2020, and replaced HealthCare.gov by setting up a state-based health insurance marketplace and establishing a reinsurance program. He noted that Pennie is a new agency that serves as Pennsylvania's official health insurance marketplace and the only source for financial assistance to reduce the cost of monthly premiums.

Mr. Yeager noted Pennie helps individuals who do not qualify for Medical Assistance, someone who may be a couple of years shy of qualifying for Medicare, and someone who does not qualify for employer-sponsored coverage. He also noted Pennie works with

small business owners and sole proprietors. He reported about 1 in 20 individuals in Pennsylvania are without quality health insurance and represents about 607,000 Pennsylvanians.

Mr. Yeager addressed the no wrong door policy with the Department of Human Services to help people get covered and provide resources. He mentioned that Pennie has grown enrollments to about 371,000, noting 9 out of 10 Pennie customers qualify for financial assistants.

Mr. Yeager noted the biggest barrier is people think they cannot afford insurance and Pennie offers financial assistance by way of advanced premium tax credits to reduce the monthly premium, along with cost-sharing reductions aligned with silver plans.

Mr. Yeager reported 14 percent of Pennie customers pay less than \$1 a month and 40 percent pay less than \$75 a month. He informed everyone that the open enrollment period is from November 1 to January 15, noting it also has a special enrollment period open yearlong for individuals who have a qualifying life event and provided a list of qualifying events. He noted creating a qualifying life event for individuals at or below 150 percent of the federal poverty level not eligible for Medical Assistance.

Mr. Yeager addressed a program called the Path to Pennie, which is a partnership between Pennie and the Pennsylvania Department of Revenue to help uninsured tax filers in Pennsylvania. He explained that Form REV-1882 could be completed and attached to their state tax return and then the Pennsylvania Department of Revenue securely shares that individual's information with Pennie.

Mr. Yeager addressed the end of continuous coverage on April 1, 2023, through Medical Assistance, noting the Department of Human Services resumed the redetermination process but Pennie is available to help. He informed everyone that Pennie has a referral line and contact center at 844-844-8040. He also mentioned having certified brokers and assistors to work with individuals at the local level. He noted resources are also available through pennie.com.

Mr. Yeager addressed the importance of spreading the word to make sure people are aware of Pennie. He invited everyone to share their toolkit and offered to send educational materials directly to them and their partners in the community free of charge. He welcomed everyone to attend Pennie's Community Workgroup and encouraged everyone to refer uninsured

1 individuals to Pennie at 844-844-8040.]
2

3 Report of Board Counsel - Discussion

4 [Sean C. Barrett, Esquire, Board Counsel, informed

5 everyone that House Bill 1040 regarding licensing

6 mobile barber shops was introduced to the House

7 | Professional Licensure Committee. He explained that

the bill changes the definition of barber shop to

9 include a place, such as a mobile unit, where the

10 practice of barbering is performed by a barber

11 licensed under the act.

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Mr. Barrett noted the addition of a definition of a mobile unit to be a self-contained, self-supporting, closed mobile unit that is at least 24 feet in length, licensed by the Board as an establishment for the practice of barbering under the act, and complies with all health and safety regulations established by the Board.

Mr. Barrett encouraged anyone in the public who has any thoughts or feedback on the bill to contact their local representatives. He noted the bill was also available on the House General Assembly website.

Chair Muniz commented that a one-chair barber shop is 12×15 feet and wondered where they came up with requiring a mobile unit be 24 feet in length.]

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- 2 Report of Acting Commissioner
- 3 | [Arion R. Claggett, Acting Commissioner, Bureau of
- 4 Professional and Occupational Affairs, informed Board
- 5 members that the Bureau of Professional and
- 6 Occupational Affairs would be moving to 2525 North
- 7 7th Street in Harrisburg on Monday, July 10, 2023.
- 8 He noted the Board website has been updated and an
- 9 email blast would be sent to all licensees.
- 10 Acting Commissioner Claggett informed everyone
- 11 that staff would be in the new building on July 10
- 12 but Board meetings would continue at One Penn Center.
- 13 Ms. Eaton informed Board members that they would
- 14 be notified whenever they could move from One Penn
- 15 Center to the new building for meetings.]
- 16
- 17 Report of Board Chair
- 18 | [Dominic A. Muniz, Chairman, Professional Member,
- 19 announced that the National Association of Barber
- 20 Boards of America (NABBA) Conference would be held in
- 21 | September in Hershey.]
- 22 ***
- 23 Amendment to the Agenda
- 24 MR. BARRETT:
- 25 I believe the Board Chair would

16 1 entertain a motion to amend the agenda 2 to reflect a discussion item sending 3 two Board members to the NABBA 4 Conference in September.] 5 CHAIRMAN MUNIZ: Do I have a motion? 6 7 MR. EDSALL: 8 Motion. 9 CHAIRMAN MUNIZ: 10 Do I have a second? MR. SERIGHT: 11 Second. 12 13 MS. EATON: 14 Roll call. 15 16 Arion Claggett, aye; Dominic Muniz, 17 aye; Ginger Etter, aye; Burr Edsall, 18 aye; Michael McAndrew, aye; Charles 19 Seright, aye. 20 [The motion carried unanimously.] * * * 21 MR. BARRETT: 22 23 I believe the Board Chair would 24 entertain a motion to approve to send 25 Chairman Dominic Muniz and Board member

17 Charles Seright to the NABBA Convention 1 2 September 17-21, 2023. 3 CHAIRMAN MUNIZ: 4 Do I have a motion? MR. EDSALL: 5 Motion. 6 7 CHAIRMAN MUNIZ: 8 Do I have a second? 9 MR. SERIGHT: 10 Second. 11 MS. EATON: Roll call. 12 13 14 Arion Claggett, aye; Dominic Muniz, 15 aye; Ginger Etter, aye; Burr Edsall, 16 aye; Michael McAndrew, aye; Charles Seright, aye. 17 18 [The motion carried unanimously.] * * * 19 20 [Dominic A. Muniz, Chairman, Professional Member, 21 encouraged local Board members to attend the NABBA 22 Conference and offered to provide information via 23 email. 24 Chair Muniz thanked Ronald Gray for his service 25 to the State Board of Barber Examiners.]

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 1
 2
   Adjournment
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   CHAIRMAN MUNIZ:
 4
                   Can I have a motion to adjourn?
 5
   MR. EDSALL:
                   Motion.
 6
 7
   CHAIRMAN MUNIZ:
                   Second?
 9
   MR. SERIGHT:
10
                   Second.
11
   CHAIRMAN MUNIZ:
12
                   All in favor, say aye.
13
    [The motion carried unanimously.]
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15
    [There being no further business, the State Board of
16
   Barber Examiners Meeting adjourned at 11:13 a.m.]
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I hereby certify that the foregoing summary minutes of the State Board of Barber Examiners meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Barber Examiners meeting.

CERTIFICATE

Devin Nunemaker,

Minute Clerk

Sargent's Court Reporting Service, Inc.

STATE BOARD OF BARBER EXAMINERS REFERENCE INDEX

June 26, 2023

6		A CENTER
7 8	TIME	AGENDA
9 10 11	9:00 10:30	Executive Session Return to Open Session
12 13	10:32	Official Call to Order
14 15	10:33	Pledge of Allegiance
16 17	10:34	Introduction of Board Members/Attendees
18 19	10:36	Approval of Minutes
20 21	10:36	Report of Board Prosecution
22 23	10:42	Report of Board Counsel
24 25 26 27	10:46	Appointment - Pennsylvania Insurance Department - Pennie Health Insurance Presentation
28 29	11:02	Report of Board Counsel - Discussion
30 31	11:05	Report of Acting Commissioner
32 33	11:07	Report of Board Chairman
34 35	11:08	Amendment to the Agenda
36 37	11:11	Motion
38 39 40 41 42	11:13	Adjournment