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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF BARBER EXAMINERS

TIME: 10:31 A.M.

Held at
PENNSYLVANIA DEPARTMENT OF STATE
2601 North Third Street
One Penn Center, Board Room C
Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Monday, August 15, 2022

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State Board of Barber Examiners
August 15, 2022

BOARD MEMBERS:

Arion Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
Dominic A. Muniz, Chairman, Professional Member
Ronald Gray Jr., Vice 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
Todd P. Kriner, Esquire, Board Counsel
Heather J. McCarthy, Esquire, Senior Prosecuting Attorney
James Ritchie Espino Ostman, Esquire, Board Prosecution Liaison
Andrea L. Costello, Esquire, Board Prosecution Liaison,
Kenneth J. Suter, Esquire, Board Prosecution Liaison
Sparkle Thompson, Board Administrator
Andrew LaFratte, MPA, Executive Policy Specialist, Department of State

ALSO PRESENT:

Jennifer Smeltz, Republican Executive Director, Senate Consumer Protection & Professional Licensure
Mike Gent, Curriculum Coordinator, Pennsylvania Department of Corrections
Franklin Drummond Jr., Ultimate Lifestyle
Prentice Michael Boone, Urban Barber Alliance
John Christopher, 1st Vice President, National Association of Barber Boards of America
Darryl Thomas

1 ***

2 State Board of Barber Examiners

3 August 15, 2022

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 9:00 a.m. the Board entered into Executive Session
7 with Todd P. Kriner, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations on
9 matters listed under the Report of Board Counsel and
10 Report of Prosecution. The Board returned to open
11 session at 10:30 a.m.]

12 ***

13 The regularly scheduled meeting of the State Board
14 of Barber Examiners was held on Monday, August 15,
15 2022. Dominic A. Muniz, Chairman, Professional
16 Member, called the meeting to order at 10:31 a.m.

17 ***

18 Pledge of Allegiance

19 [The Pledge of Allegiance was recited.]

20 ***

21 Roll Call/Introduction of Attendees

22 [Sparkle Thompson, Board Administrator, provided a
23 roll call of Board members and introduction of
24 attendees.]

25 ***

1 [Todd P. Kriner, Esquire, Board Counsel, noted the
2 meeting was being recorded, and those who continued to
3 participate were giving their consent to be recorded.

4 Mr. Kriner informed everyone that the Board met
5 in Executive Session to have attorney-client
6 consultation and for the purpose of conducting quasi-
7 judicial deliberations prior to the Board meeting.]

8 ***

9 Approval of minutes of the June 27, 2022 meeting

10 CHAIRMAN MUNIZ:

11 May I have a motion for approval of
12 minutes of June 27, 2022?

13 MR. EDSALL:

14 So moved.

15 CHAIRMAN MUNIZ:

16 Do I have a second?

17 MR. MCANDREW:

18 Second.

19 MR. KRINER:

20 Sparkle will read the roll.

21

22 Arion Claggett, aye; Dominic Muniz, aye;

23 Ronald Gray Jr., aye; Ginger Etter, aye;

24 Burr Edsall, aye; Michael McAndrew, aye;

25 Charles Seright, aye.

1 [The motion carried unanimously.]

2 ***

3 Report of Board Prosecution

4 [Andrea L. Costello, Esquire, Board Prosecution

5 Liaison, presented the Consent Agreements for Case No.

6 20-42-010040 and Case No. 20-42-003591.]

7 ***

8 MR. KRINER:

9 Hearing no questions and seeing no other
10 questions regarding those Consent
11 Agreements, I believe the Board chair
12 would entertain a motion to deny the
13 Consent Agreement at number 2 on the
14 list at Case No. 20-42-010040 as being
15 too lenient.

16 CHAIRMAN MUNIZ:

17 Do I have a motion?

18 MR. EDSALL:

19 Motion.

20 MR. MCANDREW:

21 Second.

22 MS. THOMPSON:

23 Arion Claggett, aye; Dominic Muniz, aye;
24 Ronald Gray Jr., aye; Ginger Etter, aye;
25 Burr Edsall, aye; Michael McAndrew, aye;

1 Charles Seright, aye.

2 [The motion carried unanimously.]

3 ***

4 MR. KRINER:

5 Moving to number 3, would the Board
6 chair entertain a motion to accept the
7 Consent Agreement at number 3 on the
8 agenda at Case No. 20-42-003591.

9 CHAIRMAN MUNIZ:

10 Do I have a motion?

11 MR. EDSALL:

12 Motion.

13 MR. MCANDREW:

14 Second.

15 MS. THOMPSON:

16 Arion Claggett, aye; Dominic Muniz, aye;
17 Ronald Gray Jr., aye; Ginger Etter, aye;
18 Burr Edsall, aye; Michael McAndrew, aye;
19 Charles Seright, aye.

20 [The motion carried unanimously. The Respondent's
21 name at number 3 is William T. Read Jr.]

22 ***

23 Report of Board Counsel

24 MR. KRINER:

25 Number 4. This was a Motion to Deem

1 Facts Admitted, Ronald Woodley, at Case
2 No. 19-42-002396. This matter was
3 before the Board in April at the last
4 meeting, where the Motion to Deem Facts
5 Admitted was approved at that time.

6 The Board instructed Board counsel
7 to draft an Adjudication and Order. It
8 is solely on the list today for the
9 reference section that it was discussed
10 in Executive Session.

11 ***

12 MR. KRINER:

13 Moving to number 5 on the list, I
14 believe the Board chair would entertain
15 a motion with regard to Willi's Barber
16 Shop at Case Nos. 22-42-004182 & 20-42-
17 004447 to approve the Motions to Deem
18 Facts Admitted and direct Board Counsel
19 to draft Adjudications and Orders in
20 that matter.

21 CHAIRMAN MUNIZ:

22 Do I have a motion for number 5 on the
23 agenda?

24 MR. EDSALL:

25 Motion.

1 CHAIRMAN MUNIZ:

2 Do I have a second?

3 MR. MCANDREW:

4 Second.

5 MS. THOMPSON:

6 Arion Claggett, aye; Dominic Muniz, aye;

7 Ronald Gray Jr., aye; Ginger Etter, aye;

8 Burr Edsall, aye; Michael McAndrew, aye;

9 Charles Seright, aye.

10 [The motion carried unanimously.]

11 ***

12 Applications

13 MR. KRINER:

14 Number 7 on the agenda. I believe the
15 Board chair would entertain a motion to
16 approve the Space Variance Application
17 for C&T's Barber Shop, Application No.
18 AA0003809590.

19 CHAIRMAN MUNIZ:

20 Do I have a motion?

21 MR. EDSALL:

22 Motion.

23 MR. MCANDREW:

24 Second.

25 MS. THOMPSON:

1 Arion Claggett, aye; Dominic Muniz, aye;
2 Ronald Gray Jr., aye; Ginger Etter, aye;
3 Burr Edsall, aye; Michael McAndrew, aye;
4 Charles Seright, aye.

5 [The motion carried unanimously.]

6 ***

7 MR. KRINER:

8 Number 8 on the agenda. I believe the
9 Board chair would entertain a motion to
10 approve the Space Variance Application
11 for Joseph W. Mancuso Barber Shop,
12 Application No. AA0003872450.

13 CHAIRMAN MUNIZ:

14 Do I have a motion?

15 MR. EDSALL:

16 Motion.

17 CHAIRMAN MUNIZ:

18 Do I have a second?

19 MR. MCANDREW:

20 Second.

21 MS. THOMPSON:

22 Arion Claggett, aye; Dominic Muniz, aye;
23 Ronald Gray Jr., aye; Ginger Etter, aye;
24 Burr Edsall, aye; Michael McAndrew, aye;
25 Charles Seright, aye.

1 [The motion carried unanimously.]

2

3 Report of Board Counsel - Regulatory Discussion

4 [Todd P. Kriner, Esquire, Board Counsel, noted 16A-429
5 general revisions are still being drafted.]

6 Mr. Kriner informed Board members that 16A-4212
7 regarding licensure by endorsement under Act 41 was
8 provided to senior regulatory counsel for review and
9 the Board would probably be voting on 16A-4212 at the
10 next meeting.

11 Chairman Muniz reminded everyone that Act 41 is
12 licensure by endorsement, which accepts licensees into
13 Pennsylvania with certain regulations. He stated out-
14 of-state barbers have an opportunity to receive a
15 license in Pennsylvania without being reciprocal with
16 other states. He noted that there is reciprocity with
17 other states, but Act 41 allows the Board to accept
18 licenses from other states even though the applicant
19 does not have reciprocity with other states.

20 Mr. Kriner informed Board members of a letter
21 sent to all boards regarding moving the regulation
22 forward. He stated the regulation opens avenues and
23 other opportunities for licensees from other states to
24 receive a license in Pennsylvania.]

25

1 Report of Board Counsel - Hearing Examiner Proposal

2 MR. KRINER:

3 The Hearing Examiner's Proposal at
4 number 11 for Case No. 19-42-008887 has
5 been tabled until next meeting.

6 ***

7 Report of Board Counsel - Discussion

8 [Todd P. Kriner, Esquire, Board Counsel, informed
9 everyone that the Application Committee was discussed
10 during Executive Session and notified the public the
11 Application Committee consists of Dominic Muniz, Burr
12 Edsall, and Charles Seright.]

13 ***

14 Report of Board Chair

15 [Dominic A. Muniz, Chairman, Professional Member,
16 announced that he and Burr Edsall would be attending
17 the National Association of Barber Boards of America
18 (NABBA) Conference on September 18, 2022, in Atlanta,
19 GA. He mentioned the conference provides an
20 opportunity to discuss different laws being passed in
21 other states and bring ideas to the barber industry.

22 Chairman Muniz informed everybody of the NABBA
23 LAB, where barbers and Board members could further
24 their education in the barbering industry or as Board
25 members in general and encouraged everyone to join the

1 NABBA LAB to take advantage of further education.]

2 ***

3 Report of Acting Commissioner

4 [Arion R. Claggett, Acting Commissioner, Bureau of
5 Professional and Occupational Affairs, notified
6 everyone of in-person Board member training on October
7 24, 2022, from 8 a.m. to 4 p.m. in Harrisburg. He
8 noted the training is mandatory for public members but
9 also encouraged professional members to attend. He
10 noted topics would include the role of prosecution and
11 Board counsel.]

12 ***

13 Report of Board Administrator - No Report

14 ***

15 Public Session

16 [John Christopher, 1st Vice President, National
17 Association of Barber Boards of America, also
18 addressed the 95th NABBA Conference in September and
19 informed everyone that he would be sworn in as the
20 next NABBA president in September. He will be
21 bringing the 2023 conference to Hershey, PA, and asked
22 for the Board's support. He mentioned speaking with
23 the Dauphin County Tourism Board about receiving a
24 grant to make sure people who attend the conference
25 have places to go and things to see.

1 Mr. Christopher stated NABBA was also working
2 with other states to develop national guidelines
3 similar to a trademark for the barber pole because of
4 the concern for misrepresentation. She noted NABBA
5 was represented by 20 to 30 states across the country
6 and encouraged everyone to visit the website for
7 information concerning the barber pole.

8 Mr. Christopher addressed the NABBA barber school
9 division that was working with barber schools in each
10 individual state to have labs and clinics to further
11 education. He mentioned speaking with Mr. Gent from
12 the Pennsylvania Department of Corrections for
13 assistance and would like to have representation in
14 the form of legislation by a representative who could
15 address membership and ways to streamline bills.

16 Mr. Christopher referred to House Bill 255
17 regarding grandfathering licenses, where those
18 qualified have an opportunity to grandfather or move
19 their license up to a barber manager or a barber
20 teacher one time only. He believed barber license
21 numbers are down, especially compared to cosmetology
22 in Pennsylvania, and noted the need more schools and
23 teachers involvement in the Commonwealth of
24 Pennsylvania.

25 Mr. Christopher encouraged younger barbers to

1 become more involved in a deeper level and requested
2 an update on House Bill 255. NABBA is a great source
3 to speak similar topics. He encouraged reaching out
4 to the executive director of NABBA for information in
5 reference to bills in Pennsylvania.

6 Acting Commissioner Claggett informed Mr.
7 Christopher that the Board is interested in
8 participating in 2023, noting Board counsel may be
9 able to provide an update regarding House Bill 255 at
10 the next meeting.

11 Prentice Michael Boone, Urban Barber Alliance,
12 requested information from Board members regarding the
13 barber license increase this year, noting he renewed
14 the barber license as well as the barber teacher
15 license that cost \$389 but only received the barber
16 teacher license.

17 Mr. Boone noted The Urban Barber Alliance is
18 educating young barbers, already established barbers,
19 and advanced barbers but need help and support with
20 accessing the database of barbershops to encourage
21 them to visit their organization and learn more.

22 Acting Commissioner Claggett explained that fees
23 have not been raised in many years and need to be
24 raised in order to sustain the Board from staff,
25 legal, and Board member expenses.

1 Acting Commissioner Claggett offered support and
2 help with sending notifications to other barbers but
3 explained that Mr. Christopher would have to come
4 before the Board to present information to the Board
5 and Board counsel. He suggested Mr. Christopher
6 contact the Board administrator, and Ms. Sparkle
7 provided an email address.

8 Chairman Muniz suggested Mr. Christopher be
9 thorough with the request for Board support by
10 providing information as to how the Board would be
11 able to offer support and exactly what the Board would
12 be supporting.

13 Darryl Thomas, Licensed Barber, presented to the
14 Board to discuss his concerns regarding COVID and
15 rebounding COVID. He noted many barbershop owners and
16 barbers were ordered out of the workplace and did not
17 think there was concrete communication between the
18 Board and barbers. He commented that the Board should
19 have addressed issues and had protocols in place in a
20 state of emergency.

21 Mr. Thomas reported many barbershops have gone
22 out of business and many have not rebounded due to the
23 apprehensiveness of clients still not wanting to come
24 into the shops. He asked what remedies or action the
25 Board is putting together to assist in keeping

1 barbershops and barbers' lives going forward.

2 Acting Commissioner Claggett stated there was a
3 notification sent through an email blast to all of the
4 barber population and notifications posted online in
5 their Facebook account and State Board of Barber
6 Examiners website.

7 Mr. Thomas requested information as to where to
8 find updates and current information in the event of
9 an emergency to stay in sync with what the Board
10 mandates. He commented that he was one of many who
11 did not know and learned by Governor Wolf speaking on
12 the news.

13 Acting Commissioner Claggett explained that the
14 Board does not have another mechanism to reach that
15 type of population other than sending out an email
16 blast and Governor Wolf speaking about it on the news.

17 Chairman Muniz explained that he met with many
18 people to figure things out during COVID, but the
19 biggest issues was not having a quorum, which held up
20 a lot of meetings. He stated one of the reasons for
21 the Pennsylvania Licensing System (PALS) is to have
22 everyone's information and be able to contact every
23 single licensed barber. He also mentioned that the
24 Board is discussing newsletters and emails to have
25 more communication with barbers.

1 Chairman Muniz addressed the need for Board
2 members, where they are not able to have a meeting or
3 vote on certain matters and believed there are
4 currently four vacancies. He stated that information
5 regarding joining the Board was on their website.

6 Ms. Sparkle noted one professional member and
7 three public member vacancies and provided the Board's
8 website at www.dos.pa.gov/barber for further
9 information.

10 Acting Commissioner Claggett mentioned that his
11 office was taking steps to attract more board members
12 across all boards, including updates to the website.
13 He mentioned receiving questions concerning what the
14 Board does and how to become a Board member and
15 informed everyone that steps would be coming soon.

16 Chairman Muniz commented that one of the ways to
17 figure out what was going on was to become a part of
18 the Board in order to actually learn what was going on
19 behind closed doors. He mentioned that many
20 discussions were open to the public, including budget
21 meetings, and attending meetings was the best way for
22 someone to find information and state their opinion.

23 Chairman Muniz thanked everyone for attending the
24 State Board of Barber Examiners Meeting and looked
25 forward to seeing Mr. Christopher at NABBA.]

1 ***

2 [Dominic A. Muniz, Chairman, Professional Member,
3 noted that the next scheduled Board meeting date is
4 October 17.]

5 ***

6 Adjournment

7 CHAIRMAN MUNIZ:

8 Do I have a motion to adjourn?

9 MR. EDSALL:

10 So moved.

11 MR. MCANDREW:

12 Second.

13 CHAIRMAN MUNIZ:

14 All in favor, say aye.

15 ***

16 [There being no further business, the State Board of
17 Barber Examiners Meeting adjourned at 11:23 a.m.]

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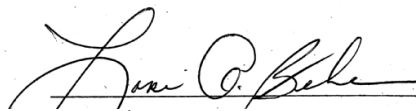
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CERTIFICATE

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.



Lori A. Behe,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF BARBER EXAMINERS
REFERENCE INDEX

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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:31	Official Call to Order
10:31	Pledge of Allegiance
10:32	Roll Call/Introduction of Attendees
10:36	Approval of Minutes
10:37	Report of Board Prosecution
10:49	Report of Board Counsel
10:52	Applications
10:54	Report of Board Counsel (cont.)
10:58	Report of Board Chairman
11:00	Report of Acting Commissioner
11:02	Public Session
11:23	Adjournment