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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: 10:45 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, June 27, 2022

State Board of Barber Examiners
June 27, 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 - Absent
Charles Seright, Professional Member

BUREAU PERSONNEL:

Todd P. Kriner, Esquire, Board Counsel
Tyasha C. Miley, Esquire, Board Counsel
Carolyn DeLaurentis, Deputy Chief Counsel, Prosecution
Division
Heather J. McCarthy, Esquire, Senior Prosecuting
Attorney
Andrea L. Costello, Esquire, Board Prosecutor
Sparkle Thompson, Board Administrator
Andrew LaFratte, MPA, Executive Policy Specialist,
Department of State
Richard E. Morrissette, Deputy Director, Bureau of
Enforcement and Investigation, Department of State
Eli Yemzow, Legal Intern, Department of State

ALSO PRESENT:

Jennifer Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Kelly Kolling, Director, Barber School of Pittsburgh
Seth Rolko, Democratic Executive Director, Senate
Consumer Protection & Professional Licensure
Committee
Damar Been, The Lancaster Barber Company
Isabel Santos, The Lancaster Barber Company

1 ***

2 State Board of Barber Examiners

3 June 27, 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, June 27, 2022.
15 Dominic A. Muniz, Chairman, Professional Member,
16 called the meeting to order at 10:45 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 and introduction of attendees.]

24 ***

25 [Todd P. Kriner, Esquire, Board Counsel, noted the

1 meeting was being recorded, and those who continued to
2 participate were giving their consent to be recorded.

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

7

8 Approval of minutes of the April 25, 2022 meeting

9 MR. KRINER:

10 Is there a motion to accept the minutes
11 from the April 25, 2022 meeting?

12 MR. EDSALL:

13 So moved.

14 MR. KRINER:

15 Is there a second?

16 CHAIRMAN MUNIZ:

17 Second.

18 MR. KRINER:

19 Could you do the roll call vote?

20

21 Arion Claggett, abstain; Dominic Muniz,
22 yes; Ronald Gray Jr., yes; Ginger Etter,
23 yes; Burr Edsall, yes; Charles Seright,
24 approve.

25 [The motion carried. Arion Claggett abstained from

1 voting on the motion.]

2 ***

3 Report of Board Prosecution

4 [Heather J. McCarthy, Esquire, Senior Prosecuting
5 Attorney, on behalf of James Ritchie Espino Ostman,
6 presented the Consent Agreement for Case No. 20-42-
7 004451.]

8 ***

9 [Heather J. McCarthy, Esquire, Senior Prosecuting
10 Attorney, on behalf of Andrea L. Costello, presented
11 the Consent Agreement for Case No. 19-42-006386.]

12 MR. KRINER:

13 Regarding the Consent Agreement at item
14 2 on the agenda at Case No. 20-42-
15 004451, I believe the Board would
16 entertain a motion to adopt the Consent
17 Agreement.

18 Do I hear such a motion?

19 MR. EDSALL:

20 So moved.

21 MR. KRINER:

22 Do I hear a second?

23 CHAIRMAN MUNIZ:

24 Second.

25 MR. KRINER:

1 Roll call vote.

2

3 Arion Claggett, aye; Ronald Gray Jr.,
4 yes; Ginger Etter, yes; Charles Seright,
5 yes; Burr Edsall, yes; Dominic Muniz,
6 aye.

7 [The motion carried unanimously. The Respondent's
8 name for item 2 is Los Compadres Barber Shop, Case No.
9 20-42-004451.]

10

11 MR. KRINER:

12 Regarding the Consent Agreement at item
13 3 on the agenda at Case No. 19-42-
14 006386, I believe the Board would
15 entertain a motion to adopt the Consent
16 Agreement.

17 Do I hear such a motion?

18 MR. EDSALL:

19 So moved.

20 MR. KRINER:

21 Do I hear a second?

22 CHAIRMAN MUNIZ:

23 Second.

24 MR. KRINER:

25 Roll call vote.

1

2

Arion Claggett, aye; Dominic Muniz, aye;

3

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

4

Burr Edsall, aye; Charles Seright, aye.

5

[The motion carried unanimously. The Respondent's

6

name for item 3 is James Dennis, Case No. 19-42-

7

006386.]

8

9

Report of Board Counsel

10

[Todd P. Kriner, Esquire, Board Counsel, notified the

11

Board that the Bureau of Professional and Occupational

12

Affairs (BPOA) received reports of persons pretending

13

to be from one of the health-related boards and are

14

contacting licensees asking for personal information

15

over the phone.

16

Mr. Kriner noted scammers are threatening license

17

suspension for failure to act and falsely claiming

18

involvement with the Federal Bureau of Investigation

19

(FBI) and the Drug Enforcement Administration (DEA).

20

Mr. Kriner noted BPOA would not contact anyone by

21

phone to request payment and reminded everyone not to

22

give any information over the phone. He stated the

23

department initiates disciplinary action through an

24

administrative process through certified mail and/or

25

personal service and would also provide a contact name

1 and phone number. He informed everyone to contact
2 their local law enforcement if they have been a victim
3 or are receiving calls.]

4

5 Report of Board Counsel - Regulatory Discussion
6 [Todd P. Kriner, Esquire, Board Counsel, referred to
7 16A-429 regarding general revisions, noting that he is
8 still reviewing those and would have an update at the
9 next meeting.]

10 Mr. Kriner addressed 16A-4212 regarding Act 41
11 licensure by endorsement. He mentioned there have
12 been letters from the House urging all of the
13 different boards to pass these regulations. He noted
14 that licensure by endorsement is a regulation to open
15 a pathway that did not exist before for someone
16 licensed in another state by showing the hours they
17 physically worked as a barber or by taking the exam
18 within a certain period of time.

19 Mr. Kriner stated the regulation was in front of
20 senior regulatory counsel for approval and then would
21 be open for a 30-day comment period from stakeholders
22 and the public once approved.]

23

24 Report of Board Counsel - Other

25 [Todd P. Kriner, Esquire, Board Counsel, noted

1 information for the Board's review regarding the
2 National Association of Barber Boards of America's
3 95th Annual Conference.]

4 MR. KRINER:

5 Is there a motion from the Board to send
6 two members to the National Association
7 of Barber Boards of America's 95th
8 Annual Conference?

9 MR. EDSALL:

10 So moved.

11 MR. KRINER:

12 Is there a second?

13 CHAIRMAN MUNIZ:

14 Second.

15 MR. KRINER:

16 Roll call vote.

17

18 Arion Claggett, aye; Dominic Muniz, aye;
19 Ronald Gray Jr., aye; Ginger Etter, aye;
20 Burr Edsall, aye; Charles Seright, aye.

21 [The motion carried unanimously.]

22

23 Applications

24 MR. KRINER:

25 Application No. AA0003649534, The

1 Lancaster Barber Company, is a Variance
2 Request.

3 I believe the Board would entertain
4 a motion to accept the request for
5 variance?

6 Do I hear such a motion?

7 MR. EDSALL:

8 So moved.

9 MR. KRINER:

10 Is there a second?

11 CHAIRMAN MUNIZ:

12 Second.

13 MR. KRINER:

14 Roll call vote.

15
16 Arion Claggett, aye; Dominic Muniz, aye;
17 Ronald Gray Jr., aye; Ginger Etter, aye;
18 Burr Edsall, aye; Charles Seright, aye.

19 [The motion carried unanimously.]

20 ***

21 MR. KRINER:

22 Application No. AA0003405003,
23 Application No. AA0003817363, and
24 Application No. AA0003872450, will be
25 tabled till the next meeting.

1 ***
2 Report of Board Chair
3 [Dominic A. Muniz, Chairman, Professional Member,
4 welcomed all of the new members to the Board.]

5 ***
6 Report of Acting Commissioner
7 [Arion R. Claggett, Acting Commissioner, Bureau of
8 Professional and Occupational Affairs, informed Board
9 members that the department is currently in the
10 process of replacing the Pennsylvania Licensing System
11 (PALS) and should have the new system identified and
12 in place by the end of 2023.]

13 ***
14 Report of Board Administrator - No Report

15 ***
16 Adjournment

17 CHAIRMAN MUNIZ:

18 Do we have a motion to adjourn?

19 MR. EDSALL:

20 So moved.

21 CHAIRMAN MUNIZ:

22 Second. The meeting is adjourned.

23 ***
24 [There being no further business, the State Board of
25 Barber Examiners Meeting adjourned at 11:08 a.m.]

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.



Amber Garbinski,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF BARBER EXAMINERS
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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:45	Official Call to Order
10:45	Pledge of Allegiance
10:45	Roll Call/Introduction of Attendees
10:48	Approval of Minutes
10:50	Report of Board Prosecution
10:57	Report of Board Counsel
11:04	Applications
11:06	Report of Board Chairman
11:07	Report of Acting Commissioner
11:08	Adjournment