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6COMMONWEALTH 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: 9:06 A.M.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Monday, August 20, 2018

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State Board of Barber Examiners  
August 20, 2018

BOARD MEMBERS:

John C. Christopher, Chairman, Professional Member  
Ronald Gray Jr., Vice Chairman, Professional Member  
Kristal L. Ferron, Deputy Attorney General, Consumer  
Protection, on behalf of Ginger Etter, Secretary,  
Consumer Protection Member  
Ian J. Harlow, Commissioner of Professional and  
Occupational Affairs - Absent  
Margaret A. Moore, Public Member  
Dominic A. Muniz, Professional Member  
Joseph T. Ferruzza, Professional Member  
Ken Jaram, Professional Member

BUREAU PERSONNEL:

Ian B. Everhart, Esquire, Board Counsel  
Shana M. Walter, Esquire, Board Counsel  
Glenn P. Masser, Esquire, Board Prosecution Liaison  
Caroline A. Bailey, Esquire, Board Prosecutor  
Thomas A. Blackburn, Esquire, Senior Counsel-in-Charge  
Angela B. Lucci, Esquire, Board Prosecutor  
Kelly I. Diller, Board Administrator

ALSO PRESENT:

Michael Gent, Curriculum Coordinator, PA Department of  
Corrections  
Rosemary Ferruzza, wife of Joseph T. Ferruzza,  
Professional Member

1 \*\*\*

2 State Board of Barber Examiners

3 August 20, 2018

4 \*\*\*

5 The regularly scheduled meeting of the State  
6 Board of Barber Examiners was held on Monday, August  
7 20, 2018. John C. Christopher, Chairman, called the  
8 meeting to order at 9:06 a.m.

9 \*\*\*

10 Pledge of Allegiance

11 [The Pledge of Allegiance was recited.]

12 \*\*\*

13 Roll Call

14 [Roll call was taken.]

15 \*\*\*

16 Introduction of Audience

17 [Chairman Christopher requested the introduction of  
18 audience members.]

19 \*\*\*

20 Approval of Minutes of the June 25, 2018 meeting

21 CHAIRMAN CHRISTOPHER:

22 Approval of the minutes from our last  
23 Board meeting on June 25. Any  
24 questions, corrections, notes, quotes,  
25 anecdotes?

1 MR. FERRUZZA:

2 I make the motion we approve.

3 CHAIRMAN CHRISTOPHER:

4 Motion to approve. Second?

5 MR. GRAY:

6 Second.

7 CHAIRMAN CHRISTOPHER:

8 Second. Motion on the floor. Let's  
9 have a vote. All in favor, say aye to  
10 approve the meeting minutes. Opposed?

11 [The motion carried unanimously.]

12 \*\*\*

13 Report of Prosecutorial Division

14 [Caroline A. Bailey, Esquire, Board Prosecutor,  
15 presented the Consent Agreement for File No. 17-42-  
16 10732.]

17 \*\*\*

18 Report of Board Counsel

19 [Shana M. Walter, Esquire, Board Counsel, introduced  
20 herself to the Board as the new Board Counsel.

21 Chairman Christopher thanked Mr. Everhart for his  
22 service to the Board.

23 Ms. Walter noted matters for discussion during  
24 Executive Session.]

25 \*\*\*

1 Report of Commissioner - No Report

2 \*\*\*

3 Report of Board Chair

4 [John C. Christopher, Chairman, Professional Member,  
5 stated he and Mr. Muniz will be attending the National  
6 Association of Barber Boards of America (NABBA)  
7 Convention in Kansas City in September.]

8 \*\*\*

9 Report of Board Administrator - No Report

10 \*\*\*

11 Old/New Board Business

12 [Shana M. Walter, Esquire, Board Counsel, received  
13 three responses from other states regarding the  
14 reciprocity agreements. She will prepare a report  
15 following the receipt of additional responses.

16 Mr. Everhart noted the assessment of other states  
17 and the importance of a reciprocal relationship.]

18 \*\*\*

19 [Michael Gent, Curriculum Coordinator, PA Department  
20 of Corrections, thanked the Board for their assistance  
21 and guidance with opening the barber school and shop  
22 at the State Correctional Institute (SCI) Phoenix  
23 after SCI Graterford closed.]

24 \*\*\*

25 [Governor Wolf's proposal relating to a barber

1 registry rather than the current licensure system was  
2 discussed.

3 Chairman Christopher opined that Governor Wolf  
4 wants to remove the licensure category, looking at it  
5 instead as a certificate to perform services. He  
6 discussed possible deregulation in several states.  
7 Chairman Christopher stated the Board was not in favor  
8 of deregulation. He spoke with Commissioner Harlow  
9 regarding this issue. Commissioner Harlow suggested  
10 that the Board form a committee to work on language  
11 regarding the proposal and offer options.

12 The Board voiced concerns regarding sanitary  
13 rules and clean barbershops if there is no licensing  
14 system.

15 Chairman Christopher discussed Governor Wolf's  
16 objective to reduce barriers to employment. He  
17 suggested that the Board should be prepared to offer  
18 comments against the proposal to deregulate barbering.

19 The Board discussed the possibility that the House  
20 and Senate could pass a bill involving the barber  
21 profession without the Board's input.

22 The Board discussed finding a balance for hair  
23 braiders who receive cosmetology training but do not  
24 work with chemicals or sharp objects, as well as the  
25 impact of Governor Wolf's proposal on the Cosmetology

1 industry.

2 Chairman Christopher stated the report the  
3 Governor's committee prepared on professional  
4 licensing involved different testing agencies and  
5 input from mainly the mid-Atlantic region and  
6 surrounding states. He noted state-to-state  
7 differences with reciprocity.]

8

\*\*\*

9 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
10 9:33 a.m. the Board entered into Executive Session  
11 with Ian B. Everhart, Esquire, Board Counsel, and  
12 Shana M. Walter, Esquire, Board Counsel, for the  
13 purpose of conducting quasi-judicial deliberations on  
14 a number of matters that are currently pending before  
15 the Board and to receive advice of Counsel. The Board  
16 concluded its Executive Session at 10:40 p.m.]

17

\*\*\*

18 MOTIONS

19 MS. WALTER:

20 The Board is returning from Executive  
21 Session, where myself, Board Counsel,  
22 engaged in quasi-judicial deliberations  
23 with the Board regarding the consent  
24 agreement, adjudications and orders, and  
25 applications for review that were

1 presented on the agenda.

2 The Board also discussed a scoring  
3 issue that was brought to our attention  
4 by a third party, Kathy Bender, of  
5 Pearson VUE.

6 I'll explain a little bit of the  
7 issue that has come forward with Pearson  
8 VUE. The testing cutoff in the Pearson  
9 VUE theoretical portion of the barber  
10 examination was incorrect. It was  
11 supposed to be set at 77. It was  
12 inadvertently set at 82. The issue  
13 began in November 2017 and was  
14 recognized by Pearson VUE within the  
15 last seven days or so.

16 There are 46 test takers who were  
17 affected by this issue. Twenty-four of  
18 those students have taken and passed the  
19 theoretical portion of the exam, leaving  
20 22 students who have yet to either take  
21 and pass the exam or have not taken the  
22 exam at all.

23 During Executive Session, we  
24 discussed that issue, and the Board has  
25 directed Counsel to proceed in a



1 particular manner. I will leave it to  
2 the Chairman to put forward a motion  
3 directing such action.

4 CHAIRMAN CHRISTOPHER:

5 Is there a motion on the floor for our  
6 Board Counsel to interact with Pearson  
7 VUE to correct this issue and direct  
8 Pearson VUE to proceed in a specific  
9 manner regarding that discussed during  
10 Executive Session regarding the  
11 individuals that have yet to pass the  
12 exam?

13 Motion on the floor?

14 MR. MUNIZ:

15 Motion.

16 CHAIRMAN CHRISTOPHER:

17 Second?

18 MR. FERRUZZA:

19 Second.

20 CHAIRMAN CHRISTOPHER:

21 All in favor, say aye. Opposed?

22 [The motion carried unanimously.]

23 \*\*\*

24 CHAIRMAN CHRISTOPHER:

25 Let's do our Consent Agreement, File No.

1 17-42-10732.

2 Motion to accept the Consent  
3 Agreement?

4 MR. GRAY:

5 Motion.

6 CHAIRMAN CHRISTOPHER:

7 Second?

8 MR. FERRUZZA:

9 Second.

10 CHAIRMAN CHRISTOPHER:

11 All in favor, say aye. Opposed?

12 [The motion carried unanimously. The name for the  
13 Consent Agreement is James E. Williams.]

14 \*\*\*

15 CHAIRMAN CHRISTOPHER:

16 We have an Adjudication and Order  
17 proposed for Raymond Anthony Matula,  
18 File No. 16-42-11632.

19 Is there a motion on the floor to  
20 accept?

21 MR. FERRUZZA:

22 So moved.

23 CHAIRMAN CHRISTOPHER:

24 Second?

25 MS. MOORE:

1                   Second.

2 CHAIRMAN CHRISTOPHER:

3                   All in favor, say aye. Opposed?

4 [The motion carried unanimously.]

5   \*\*\*

6 CHAIRMAN CHRISTOPHER:

7                   Adjudication and Order, motion to accept

8                   for Item No. 4, Mark S. Robertson, File

9                   No. 16-42-12207, and proposed

10                  Adjudication and Order for Harold Huff,

11                  File No. 16-42-09631.

12   Motion on the floor to accept?

13 MR. FERRUZZA:

14                   So moved.

15 CHAIRMAN CHRISTOPHER:

16                   Second?

17 MR. GRAY:

18                   Second.

19 CHAIRMAN CHRISTOPHER:

20                   All in favor, say aye. Opposed?

21 [The motion carried unanimously.]

22   \*\*\*

23 CHAIRMAN CHRISTOPHER:

24                   The next one is the proposed

25                   Adjudication and Order for Jose L.

1           Santiago, File No. 16-42-08299.

2                     The motion also is asking us to  
3           direct Counsel to modify and sanction  
4           the probationary period to 12 months'  
5           probation upon release.

6 MR. FERRUZZA:

7                     So moved.

8 CHAIRMAN CHRISTOPHER:

9                     Second?

10 MR. MUNIZ:

11                     Second.

12 CHAIRMAN CHRISTOPHER:

13                     All in favor, say aye.   Opposed?

14 [The motion carried unanimously.]

15                                     \*\*\*

16 CHAIRMAN CHRISTOPHER:

17                     The Adjudication and Order, No. 6 on the  
18           agenda, is for Rashaad Ibrahim aka  
19           Rashad Ibrahim, File No. 16-42-06605.

20                     This motion and Adjudication and  
21           Order is going to be pushed to our next  
22           meeting, where we will have more  
23           information on this and can discuss it  
24           in Executive Session.

25                     Motion to accept?

1 MR. FERRUZZA:

2                   So moved.

3 CHAIRMAN CHRISTOPHER:

4                   Second?

5 MS. MOORE:

6                   Second.

7 CHAIRMAN CHRISTOPHER:

8                   All in favor, say aye. Opposed?

9 [The motion carried unanimously.]

10   \*\*\*

11 CHAIRMAN CHRISTOPHER:

12                   This is for the Application for Review.  
13                   We are going to do all four of these at  
14                   one time. We are going to ask to  
15                   sustain the citations of these, and we  
16                   are going to ask to overrule the Hearing  
17                   Examiner's findings on this and grant  
18                   the Commonwealth's Applications on these  
19                   four.

20   Motion to accept?

21 MR. GRAY:

22                   Motion.

23 CHAIRMAN CHRISTOPHER:

24                   Second?

25 MS. MOORE:

1 Second.

2 CHAIRMAN CHRISTOPHER:

3 All in favor, say aye. Opposed?

4 [The motion carried unanimously. The Applicant's name  
5 for File No. 17-42-07439 is David Sabol t/d/b/a David  
6 Sabol's Barbershop. The Applicant's name for File No.  
7 17-42-02260 is Liborio Alfano d/b/a Liborio Alfano  
8 Barber Shop. The Applicant's name for File No. 17-42-  
9 09117 is Joseph Molett. The Applicant's name for File  
10 No. 17-42-11612 is Anthony J. Orr.]

11 \*\*\*

12 [Shana L. Walter, Esquire, Board Counsel, stated all  
13 files would be referred to as cases.]

14 \*\*\*

15 Next Meeting Date

16 [Chairman Christopher noted Monday, October 1, 2018,  
17 as the next meeting date.]

18 \*\*\*

19 [Joseph T. Ferruzza, Professional Member, updated the  
20 Board on the newsletter, noting that the graphics were  
21 satisfactory. He mentioned the need for a letter  
22 regarding the Board's actions and a couple of articles  
23 of interest.]

24 \*\*\*

25 [Ian B. Everhart, Esquire, Board Counsel, discussed

1 the Barber Pole Law, noting that Cynthia Montgomery,  
2 Deputy Chief Counsel, is reviewing the proposed  
3 language. He also noted the good moral character  
4 requirement. He stated the package was completed but  
5 did not anticipate the package being introduced this  
6 year.

7 Mr. Everhart noted that many bills will be  
8 introduced in the first three months of 2019. A  
9 significant amount of material was introduced in early  
10 2017, and that was the last action.]

11 \*\*\*

12 Adjournment

13 CHAIRMAN CHRISTOPHER:

14 Motion to adjourn?

15 MR. MUNIZ:

16 So moved.

17 CHAIRMAN CHRISTOPHER:

18 Second?

19 MR. JARAM:

20 Second.

21 CHAIRMAN CHRISTOPHER:

22 All in favor? Opposed?

23 [The motion carried unanimously.]

24 \*\*\*

25 [There being no further business, the State Board of

1 Barber Examiners Meeting adjourned at 10:57 a.m.]

2

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CERTIFICATE

6

7

I hereby certify that the foregoing summary

8

minutes of the State Board of Barber Examiners

9

meeting, was reduced to writing by me or under my

10

supervision, and that the minutes accurately summarize

11

the substance of the State Board of Barber Examiners

12

meeting.

13

14



15

16

Adam Beck,

17

Minute Clerk

18

Sargent's Court Reporting

19

Service, Inc.

20

21

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25



STATE BOARD OF BARBER EXAMINERS  
REFERENCE INDEX

August 20, 2018

TIME	AGENDA
9:06	Official Call to Order
9:06	Pledge of Allegiance
9:07	Roll Call
9:08	Approval of Minutes
9:09	Report of Prosecutorial Division
9:11	Report of Board Counsel
9:12	Report of Board Chair
9:13	Report of Board Administrator
9:13	Miscellaneous
9:33	Executive Session
10:40	Return to Open Session
10:40	Motions
10:57	Adjournment