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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: 9:08 A.M.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Monday, June 25, 2018

State Board of Barber Examiners
June 25, 2018

BOARD MEMBERS:

John C. Christopher, Professional Member, Chair
Ronald Gray Jr., Professional Member, Vice Chair
Ginger Etter, Consumer Protection Member, Secretary
Ian J. Harlow, Commissioner of Professional and
Occupational Affairs
Ted Stauffer, Executive Secretary, Bureau of
Professional and Occupational Affairs, on behalf
Of Ian J. Harlow, Commissioner
Margaret A. Moore, Public Member - Absent
Dominic A. Muniz, Professional Member
Joseph T. Ferruzza, Professional Member - Absent
Ken Jaram, Professional Member

BUREAU PERSONNEL:

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

Jacob (Jake) Derrick, Policy Analyst, Office of
PA Governor Tom Wolf

ALSO PRESENT:

Yvette Huffman, SSII, Pennsylvania Department of
Corrections
Kelly Kolling, Director of Operations, Barber School
of Pittsburgh

1 ***

2 State Board of Barber Examiners

3 June 25, 2018

4 ***

5 The regularly scheduled meeting of the State
6 Board of Barber Examiners was held on Monday, June 25,
7 2018. John C. Christopher, Chairman, called the
8 meeting to order at 9:08 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 April 16, 2018 meeting

21 CHAIRMAN CHRISTOPHER:

22 Approval of the minutes from the April
23 16 meeting. Any questions, corrections,
24 anything on that? If not, if I could
25 have a motion to approve the minutes?

1 MR. GRAY:

2 So moved.

3 CHAIRMAN CHRISTOPHER:

4 Second?

5 MR. MUNIZ:

6 Second.

7 CHAIRMAN CHRISTOPHER:

8 All in favor, say aye? Opposed?

9 [The motion carried. Ian J. Harlow abstained from
10 voting on the motion.]

11 ***

12 Report of Prosecutorial Division

13 [Glenn P. Masser, Esquire, Board Prosecution Liaison,
14 introduced Angela B. Lucci, Esquire, a new Board
15 Prosecutor. Ms. Lucci provided a brief summary of her
16 professional background.]

17 ***

18 [Caroline A. Bailey, Esquire, Board Prosecutor,
19 presented the following Consent Agreements: File No.
20 16-42-06490, File No. 17-42-06186, File No. 16-42-
21 10260, and File No. 17-42-01387.]

22 ***

23 Report of Board Counsel

24 [Ian B. Everhart, Esquire, Board Counsel, noted
25 matters for discussion during Executive Session.]

1 ***

2 Report of Commissioner

3 [Ian J. Harlow, Commissioner of Professional and
4 Occupational Affairs, updated the Board on the
5 Pennsylvania Licensing System (PALS) and its
6 anticipated completion by the end of July. He noted
7 additional technical resources to stabilize the
8 system.

9 Commissioner Harlow discussed modifications to
10 the process that will allow schools and barbershops to
11 submit part of the application on behalf of the
12 student and then the applicant would complete the part
13 with legal questions.

14 Commissioner Harlow stated Board member
15 appointments are commencing.]

16 ***

17 Report of Board Chair

18 [John C. Christopher, Chairman, Professional Member,
19 thanked Mr. Everhart, Board Counsel, for his hard
20 work, diligence, and research in drafting the barber
21 pole legislation. Chairman Christopher stated this
22 will assist the entire barber industry in making a
23 statement and identifying barbers. He also thanked
24 colleagues in other states for directing the Board to
25 the legislation to use as a guide. He also thanked

1 Mr. Ferruzza, who initially started the project and
2 conducted much of the research.

3 Chairman Christopher noted the work of the
4 Application Committee to make the right decisions on
5 the different types of applications.

6 Chairman Christopher informed the Board of
7 Governor Wolf's proposed job licensing reform to cut
8 the red tape and strengthen the workforce. He noted
9 that Governor Wolf signed an Executive Order last year
10 directing the Bureau of Professional and Occupational
11 Affairs (BPOA) to conduct a review of job licensing,
12 comparing Pennsylvania with other regional states.

13 Chairman Christopher stated the final report
14 called for eliminating 13 job licenses and the General
15 Assembly to repeal 13 job licenses and replace them
16 with less restrictive requirements that protect the
17 public, which includes barbers.

18 Chairman Christopher explained Governor Wolf
19 requested barbering only require certification from a
20 licensed barber school, passing an examination,
21 minimum hours or training, and registration with the
22 State Board of Barber Examiners. Chairman Christopher
23 stated the Board needed to discuss this request and
24 advise Commissioner Harlow as to the Board's opinion
25 on the matter.

1 Commissioner Harlow noted the presence of Jake
2 Derrick from the Governor's office in the audience.
3 He emphasized the importance of recognizing that any
4 change would require a legislative initiative and that
5 it would not be a final decision.]

6 ***

7 Report of Board Administrator - No Report

8 ***

9 Old/New Board Business

10 [Chairman Christopher referred to the National
11 Association of Barber Boards of America's Annual
12 Conference in Kansas City, MO September 15-20, 2018.]

13 CHAIRMAN CHRISTOPHER:

14 Motion on the floor for Dominic to
15 attend the conference.

16 MR. GRAY:

17 So moved.

18 CHAIRMAN CHRISTOPHER:

19 Second?

20 MS. ETTER:

21 Second.

22 CHAIRMAN CHRISTOPHER:

23 All in favor, say aye? Opposed?

24 [The motion carried unanimously.]

25 ***

1 CHAIRMAN CHRISTOPHER:

2 Motion on the floor for myself to attend
3 the conference.

4 MR. GRAY:

5 So moved.

6 CHAIRMAN CHRISTOPHER:

7 Second?

8 MR. MUNIZ:

9 Second.

10 CHAIRMAN CHRISTOPHER:

11 All in favor, say aye? Opposed?

12 [The motion carried unanimously.]

13 ***

14 Applications

15 [Ian J. Harlow, Commissioner of Professional and
16 Occupational Affairs, discussed probationary licenses
17 and the review of criminal history prior to entry into
18 the workforce.

19 Chairman Christopher suggested providing a
20 clarification for applications from people who are
21 already in the criminal justice system.

22 Commissioner Harlow informed the Board of a link
23 with the Pennsylvania State Police, explaining a
24 criminal check will automatically be conducted upon an
25 individual's application for initial licensure as a

1 barber.

2 Commissioner Harlow discussed refining the
3 process to eliminate instructions and barriers in
4 order to get individuals working as quickly as
5 possible and also protect the public.

6 Kelly Kolling, Director of Operations, Barber
7 School of Pittsburgh, questioned the notification of
8 changes in criminal history. Commissioner Harlow
9 mentioned a news spot on the PALS page. He explained
10 a 90-day extension for those individuals who get their
11 criminal history record check in advance of submitting
12 the application. Individuals will be able to upload a
13 criminal history record check through August 2018.

14 Ms. Kolling questioned the reasonable response
15 time for testing. Commissioner Harlow further
16 explained the application process.

17 Ms. Kolling noted concerns with Dasher.
18 Commissioner Harlow noted his meeting with the
19 president of Dasher and a senior VP from Pearson VUE
20 regarding bottlenecks in the system. He suggested Ms.
21 Kolling provide examples of issues.

22 Ms. Kolling mentioned concerns with the
23 elimination of a barber's license, noting that any
24 school that is funded across Pennsylvania will lose
25 Title IV funding. She pointed out that a guy with the

1 razor to your jaw does not need a license but the girl
2 with shears does.

3 Commissioner Harlow explained the Governor's
4 directive to eliminate barriers so individuals could
5 have meaningful employment and streamline the
6 processes. Commissioner Harlow assured that any
7 thoughts on the issues would be taken to the
8 policymakers.

9 Mr. Everhart expressed his concern that the
10 barber industry was dying before the resurface of a
11 lot of schools in the Pennsylvania area. Commissioner
12 Harlow emphasized the need to focus on a solid
13 proposal.]

14 ***

15 Miscellaneous - Term Limits

16 [Kelly I. Diller, Board Administrator, noted a
17 reminder to Board members of their terms.

18 Mr. Everhart specifically noted two public member
19 vacancies and one professional member vacancy.

20 Ms. Kolling questioned whether two individuals
21 from the same organization are allowed to be on the
22 Board at the same time. Mr. Everhart clarified that
23 not more than two members of any one organization,
24 association, or group composed of barbers or persons
25 interested primarily in the welfare and management of

1 barbers or barbershops shall serve on the Board at the
2 same time. He stated that not more than one member
3 who is affiliated with any school of barbering shall
4 serve on the Board at any given time. A public member
5 is not allowed to be affiliated in any way with the
6 profession, and professional members are supposed to
7 engage in the profession for five years before being
8 appointed.]

9

10 [Ian J. Harlow, Commissioner of Professional and
11 Occupational Affairs, exited the meeting at 9:50 a.m.]

12

13 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
14 9:51 a.m. the Board entered into Executive Session
15 with Ian B. Everhart, Esquire, Board Counsel, and
16 Thomas A. Blackburn, Esquire, Senior Counsel-in-
17 Charge, for the purpose of conducting quasi-judicial
18 deliberations on a number of matters that are
19 currently pending before the Board and to receive
20 advice of Counsel. The Board concluded its Executive
21 Session at 12:19 p.m.]

22

23 [Ted Stauffer, Executive Secretary, Bureau of
24 Professional and Occupational Affairs, on behalf of
25 Ian J. Harlow, Commissioner, entered the meeting at

1 12:19 a.m.]

2

3 MOTIONS

4 MR. EVERHART:

5

The Board has returned from Executive

6

Session, where we engaged in

7

quasi-judicial deliberations and the

8

Board received legal advice from

9

Counsel. I believe we will now return

10

to some Consent Agreements and other

11

matters that we discussed in Executive

12

Session on the Consent Agreements.

13

I believe the Board will entertain

14

a motion to adopt the Consent Agreement

15

at File No. 16-42-06490, the name of the

16

file being Anthony D. Solimeo.

17 CHAIRMAN CHRISTOPHER:

18

Motion to accept?

19 MR. GRAY:

20

So moved.

21 CHAIRMAN CHRISTOPHER:

22

Second?

23 MS. ETTER:

24

Second.

25 CHAIRMAN CHRISTOPHER:

1 All in favor, say aye? Opposed?

2 [The motion carried unanimously.]

3 ***

4 MR. EVERHART:

5 I believe the Board will entertain a
6 motion to adopt the Consent Agreement at
7 File No. 17-42-06186, the name of the
8 file being J&D Barbershop.

9 CHAIRMAN CHRISTOPHER:

10 Motion on the floor?

11 MR. GRAY:

12 Motion.

13 CHAIRMAN CHRISTOPHER:

14 Second?

15 MR. MUNIZ:

16 Second.

17 CHAIRMAN CHRISTOPHER:

18 All in favor, say aye? Opposed?

19 [The motion carried unanimously.]

20 ***

21 MR. EVERHART:

22 I believe the Board will entertain a
23 motion to adopt the Consent Agreement at
24 File No. 16-42-10260, the name of the
25 file being Santos Angel Garcia.

1 CHAIRMAN CHRISTOPHER:

2 Motion on the floor?

3 MS. ETTER:

4 Motion.

5 CHAIRMAN CHRISTOPHER:

6 Second?

7 MR. GRAY:

8 Second.

9 CHAIRMAN CHRISTOPHER:

10 All in favor, say aye? Opposed?

11 [The motion carried unanimously.]

12 ***

13 MR. EVERHART:

14 I believe the Board will entertain a
15 motion to adopt the Consent Agreement at
16 File No. 17-42-01387, the name of the
17 file being Hector Baez-Cosmo.

18 CHAIRMAN CHRISTOPHER:

19 Motion on the floor to accept?

20 MR. GRAY:

21 Motion.

22 CHAIRMAN CHRISTOPHER:

23 Second?

24 MS. ETTER:

25 Second.

1 CHAIRMAN CHRISTOPHER:

2 All in favor, say aye? Opposed?

3 [The motion carried unanimously.]

4 ***

5 MR. EVERHART:

6 Relating to the proposed Adjudications
7 and Orders, I believe the Board will
8 entertain a motion to adopt the proposed
9 Adjudication and Order at File No. 15-
10 42-13098, the name of the file being
11 John Rodriguez dba New York Barber Shop.

12 CHAIRMAN CHRISTOPHER:

13 Motion on the floor to accept?

14 MS. ETTER:

15 Motion.

16 CHAIRMAN CHRISTOPHER:

17 Second?

18 MR. MUNIZ:

19 Second.

20 CHAIRMAN CHRISTOPHER:

21 All in favor, say aye? Opposed?

22 [The motion carried unanimously.]

23 ***

24 MR. EVERHART:

25 I believe the Board will entertain a

1 motion to adopt the proposed
2 Adjudication and Order at File No. 16-
3 42-07811, the name of the file being
4 Nathaniel Anderson.

5 CHAIRMAN CHRISTOPHER:

6 Motion to pass?

7 MR. GRAY:

8 Motion.

9 CHAIRMAN CHRISTOPHER:

10 Second?

11 MS. ETTER:

12 Second.

13 CHAIRMAN CHRISTOPHER:

14 All in favor, say aye? Opposed?

15 [The motion carried unanimously.]

16 ***

17 MR. EVERHART:

18 I believe the Board will entertain a
19 motion to adopt the proposed
20 Adjudication and Order at File No. 17-
21 42-12789, the name of the file being
22 Dennis C. Brossman. The order would
23 reject the application and deny the
24 application.

25 MR. GRAY:

1 Motion.

2 CHAIRMAN CHRISTOPHER:

3 Second?

4 MR. JARAM:

5 Second.

6 CHAIRMAN CHRISTOPHER:

7 All in favor, say aye? Opposed?

8 [The motion carried unanimously.]

9 ***

10 MR. EVERHART:

11 I believe the Board will entertain a
12 motion to adopt the proposed
13 Adjudication and Order at File No. 16-
14 42-06928, the name of the file being
15 Howard Tuck.

16 CHAIRMAN CHRISTOPHER:

17 Motion to accept?

18 MR. MUNIZ:

19 Muniz.

20 CHAIRMAN CHRISTOPHER:

21 Second?

22 MS. ETTER:

23 Second.

24 CHAIRMAN CHRISTOPHER:

25 All in favor, say aye? Opposed?

1 [The motion carried unanimously.]

2 ***

3 MR. EVERHART:

4 Addressing the application for Eric G.
5 Pizer, I believe the Board will
6 entertain a motion to approve the
7 application subject to a two-year period
8 of probation.

9 CHAIRMAN CHRISTOPHER:

10 Motion to accept?

11 MS. ETTER:

12 Motion.

13 CHAIRMAN CHRISTOPHER:

14 Second?

15 MR. JARAM:

16 Second.

17 CHAIRMAN CHRISTOPHER:

18 All in favor, say aye? Opposed?

19 [The motion carried unanimously.]

20 ***

21 MR. EVERHART:

22 As to the application of John Damien
23 Smith, I believe the Board will
24 entertain a motion to request more
25 information, including specifically

1 court documents and police complaint.

2 CHAIRMAN CHRISTOPHER:

3 Motion to accept?

4 MR. MUNIZ:

5 Motion.

6 CHAIRMAN CHRISTOPHER:

7 Second?

8 MR. GRAY:

9 Second.

10 CHAIRMAN CHRISTOPHER:

11 All in favor, say aye? Opposed?

12 [The motion carried unanimously.]

13 ***

14 MR. EVERHART:

15 As to the application of Gabriel
16 Ortiz-Gomez Sr., I believe the Board
17 will entertain a motion to approve the
18 application subject to a two-year period
19 of probation.

20 CHAIRMAN CHRISTOPHER:

21 Motion to accept?

22 MR. GRAY:

23 Motion.

24 CHAIRMAN CHRISTOPHER:

25 Second?

1 MR. MUNIZ:

2 Second.

3 CHAIRMAN CHRISTOPHER:

4 All in favor, say aye? Opposed?

5 [The motion carried unanimously.]

6 ***

7 Public Session

8 [Chairman Christopher discussed legislative
9 initiatives for the moral character requirement and
10 barber pole.]

11 CHAIRMAN CHRISTOPHER:

12 Motion to pass the Legislative
13 Initiative Form and the Barber Pole Law.

14 MR. GRAY:

15 Motion.

16 CHAIRMAN CHRISTOPHER:

17 Second?

18 MS. ETTER:

19 Second.

20 CHAIRMAN CHRISTOPHER:

21 All in favor, say aye? Opposed?

22 [The motion carried unanimously.]

23 ***

24 CHAIRMAN CHRISTOPHER:

25 Motion to pass the Legislative

1 Initiative Form and the law for the Good
2 Moral Character Requirement.

3 CHAIRMAN CHRISTOPHER:

4 Motion on the floor?

5 MR. MUNIZ:

6 Motion.

7 CHAIRMAN CHRISTOPHER:

8 Second?

9 MR. GRAY:

10 Second.

11 CHAIRMAN CHRISTOPHER:

12 All in favor, say aye? Opposed?

13 [The motion carried unanimously.]

14 ***

15 [Mr. Everhart discussed out-of-state reciprocity
16 requirements and the direction of the Board with
17 regard to legislative initiatives, further research,
18 and incoming applications.

19 Chairman Christopher noted the need for further
20 discussion. He mentioned concerns regarding
21 individuals from other states matching license per
22 license. Mr. Muniz suggested looking at other states
23 and their process to help make a better decision.

24 Chairman Christopher referred to the training
25 requirement sheet regarding reciprocity

1 qualifications, noting that the minimum should be over
2 900 hours. Mr. Everhart referred to the training
3 requirement sheet for comparison of other states.

4 Chairman Christopher discussed the Board's
5 opposition to combining licenses between barbers and
6 cosmetologists. Mr. Everhart discussed verifying
7 reciprocity.

8 Chairman Christopher suggested the Board
9 reviewing reciprocity on a case-by-case basis.

10 Mr. Everhart stated that individuals licensed in
11 another state may not be required to take the exam if
12 the state has substantially similar requirements and
13 an agreement. Mr. Everhart discussed compliance,
14 suggesting that individuals be made aware of specific
15 dates of reevaluating practices and the new system.

16 Ms. Diller discussed licensure by exam or by
17 reciprocity.

18 Mr. Everhart noted the Board's decision to not
19 change the current practice. He also noted that the
20 Board will start the process of getting agreements on
21 file. He suggested starting with the bordering states
22 and current reciprocal states.

23 Chairman Christopher emphasized the importance of
24 having two licensed designations.

25 Mr. Everhart reviewed the Board's direction,

1 including no immediate change in practice, excluding
2 anybody who has a joint barber-cosmetologist license,
3 and excluding any one with less than 900 hours.

4 Mr. Everhart will start with the process of
5 getting the agreements on file.]

6 ***

7 CHAIRMAN CHRISTOPHER:

8 I need a motion on the floor to direct
9 Counsel to start the process of getting
10 reciprocity agreements on file.

11 CHAIRMAN CHRISTOPHER:

12 Motion on the floor?

13 MR. MUNIZ:

14 Motion.

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 [Mr. Everhart questioned the Board's decision
24 regarding legislative initiatives and changing the
25 five-year barber-teacher requirement, changing the

1 1250 hours down to 1050.

2 Chairman Christopher stated this matter will be
3 discussed further at the next meeting.]

4 ***

5 Next Meeting Date

6 [Kelly I. Diller, Board Administrator, noted August
7 20, 2018, as the next meeting date.]

8 ***

9 Adjournment

10 CHAIRMAN CHRISTOPHER:

11 Motion to adjourn?

12 MR. GRAY:

13 Motion.

14 CHAIRMAN CHRISTOPHER:

15 Second?

16 MR. JARAM:

17 Second.

18 CHAIRMAN CHRISTOPHER:

19 All in favor? Opposed?

20 [The motion carried unanimously.]

21 ***

22 [There being no further business, the State Board of
23 Barber Examiners Meeting adjourned at 12:49 p.m.]

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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.



Adam Beck,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF BARBER EXAMINERS
REFERENCE INDEX

June 25, 2018

TIME	AGENDA
9:08	Official Call to Order
9:08	Pledge of Allegiance
9:09	Roll Call
9:10	Approval of Minutes
9:11	Report of Prosecutorial Division
9:15	Report of Board Counsel
9:16	Report of Commissioner
9:18	Report of Chairman
9:22	Report of Board Administrator
9:22	Old/New Board Business
9:49	Miscellaneous
9:51	Executive Session
12:19	Return to Open Session
12:19	Motions
12:30	Public Session
12:49	Adjournment