

**CALIFORNIA  
BOARD OF BARBERING AND COSMETOLOGY**



**OCTOBER 16, 2023**

**BOARD MEETING AND REINSTATEMENT HEARING**

**Courtyard by Marriott  
595 Hotel Circle South  
San Diego, CA 92108**

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**CALIFORNIA BOARD OF  
BARBERING AND  
COSMETOLOGY  
BOARD MEETING NOTICE AND  
AGENDA**

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*Action may be taken on  
any item listed on the  
agenda.*

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**BOARD MEMBERS:**  
**Calimay Pham,**  
**President**  
**Tonya Fairley, Vice**  
**President**  
**Megan Ellis**  
**Kellie Funk**  
**Reese Isbell**  
**Yolanda Jimenez**  
**Colette Kavanaugh**  
**Danielle Munoz**  
**Jacob Rostovsky**  
**Steve Weeks**

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**October 16, 2023**  
**Courtyard by Marriott**  
**595 Hotel Circle South**  
**San Diego, CA 92108**

**9:00am - Until Completion of  
Business**

**AGENDA**

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

**OPEN SESSION:**

1. Call to Order/ Roll Call/ Establishment of Quorum (**Calimay Pham**)
2. Petition for Reinstatement Hearing
  - a) Kaying Elmer, Petition for Reinstatement of License, Cosmetologist License #KK 161680

**CLOSED SESSION:** Pursuant to Government Code section 11126 (c) (3), the Board will meet in Closed Session to Deliberate on Disciplinary Matters, including the above petitions.

**RECONVENE OPEN SESSION:**

3. Board President's Welcome (**Calimay Pham**)
4. Board Member Updates – Informational only
5. Department of Consumer Affairs (DCA) Update Which May Include Updates on DCA's Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, and Legislative, Regulatory, or Policy Matters.
6. Discussion and Possible Approval of the July 17, 2023, Board Meeting Minutes

7. Executive Management Reports (**Kristy Underwood**)
  - a) Administration and Operations
  - b) Licensing, Examinations, and Disciplinary Review Appeals
  - c) Enforcement, Inspections, and Cite and Fine
  - d) Outreach
  - e) Legislative Update:
    - i. AB 1328 (Gipson) Cosmetology Licensure Compact
    - ii. SB 247 (Wilk) Alcoholic beverages: licensing exemptions: barbering and cosmetology services
    - iii. SB 384 (Bradford) Barbering and Cosmetology
    - iv. SB 451 (Nguyen) Worker classification: employees and independent contractors: licensed manicurists
    - v. SB 544 (Laird) Bagley-Keene Open Meeting Act: teleconferencing
    - vi. SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees
8. Proposed Board Meeting Dates and Locations for 2024
9. Overview of the Hairstyling Scope of Practice
10. Discussion and Possible Action Regarding Interpreters for the Licensing Exam
11. Report on the September 11, 2023, Licensing and Examination Committee Meeting
12. Report on the September 11, 2023, Education and Outreach Committee Meeting
13. Report on the September 11, 2023, Enforcement and Inspections Committee Meeting
14. Report on the September 11, 2023, Legislative and Budget Committee Meeting
15. Report on the September 11, 2023, Diversity, Equity, and Inclusion Committee Meeting
16. Discussion and Possible Action Regarding Rulemaking Proposals:
  - a) Update Regarding Rulemaking to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, and 962, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4 (SB 803 Clean Up)
  - b) Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)
  - c) Update Regarding Rulemaking to Amend Title 16, CCR section 950.10 (Transfer of Credit)
  - d) Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
  - e) Update Regarding Rulemaking Proposal to Amend Title 16, CCR section 972 (Disciplinary Guidelines)
17. Public Comment on Items Not on the Agenda

*Note: The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 1125.7(a))*

## 18. Suggestions for Future Agenda Items

## 19. Adjournment

*Note: This meeting will be Webcast, provided there are no unforeseen technical difficulties or limitations. To view the Webcast, please visit <https://thedcapage.wordpress.com/webcasts/>. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.*

\*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: Natalie Mitchell at (916) 244-6644, email: [natalie.mitchell@dca.ca.gov](mailto:natalie.mitchell@dca.ca.gov), or send a written request to the Board of Barbering and Cosmetology, PO Box 944226, Sacramento, CA 94244. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.

*Agenda Items*

*No. 3-5*

*No Attachments*

**DRAFT**  
**CALIFORNIA STATE BOARD**  
**OF**  
**BARBERING AND COSMETOLOGY**

**BOARD MEETING**

**MINUTES OF JULY 17, 2023**

**BOARD MEMBERS PRESENT**

Calimay Pham, President  
Tonya Fairley, Vice President  
Megan Ellis  
Kellie Funk  
Reese Isbell  
Yolanda Jimenez  
Colette Kavanaugh  
Danielle Munoz  
Jacob Rostovsky  
Steve Weeks

**STAFF MEMBERS PRESENT**

Kristy Underwood, Executive Officer  
Carrie Harris, Deputy Executive Officer  
Alex Torkelson, Admin and Licensing Chief  
Sabina Knight, Board Legal Counsel  
Allison Lee, Board Project Manager  
Natalie Mitchell, Board Analyst

**1. AGENDA ITEM #1, CALL TO ORDER/ROLL CALL/ESTABLISHMENT OF QUORUM**

Calimay Pham, Board President, called the meeting to order at approximately 9:00 a.m. and confirmed the presence of a quorum.

**2. AGENDA ITEM #2, PETITION FOR REINSTATEMENT HEARIN**

- Frian Yamat, Petition for Reinstatement of License, Barber License #B80381

**CLOSED SESSION**

**a. Pursuant to Government Code Section 11126(c) (3), the Board will meet in Closed Session to Deliberate on Disciplinary Matters.**

The Board met in closed session as permitted by law to deliberate on disciplinary matters.

**b. Adjourn Closed Session and Reconvene Open Session.**

President Pham reconvened the meeting at approximately 11:00 a.m.

**3. AGENDA ITEM #3, BOARD PRESIDENT'S WELCOME (Calimay Pham)**

President Pham started her remarks by announcing that the hairstylist licensing type became effective as of July 1, 2023 and applicants may now apply for the licensing exam or reciprocity. She expressed her excitement and hope that it would reduce barriers to entry into the industry.

#### **4. AGENDA ITEM #4, BOARD MEMBER UPDATES**

Board Member Steve weeks commended President Pham for being president, practicing law, teaching at a university, and now welcoming a baby.

#### **5. AGENDA ITEM #5, DISCUSSION AND POSSIBLE APPROVAL OF THE April 17, 2023, BOARD MEETING MINUTES**

Board Member Reese Isbell proposed adding “office” after “city” on page 9, second paragraph, third sentence. Board Member Yolanda Jimenez proposed fixing the misspelling of “Carrie Harris” on page 2.

**Motion:** Mr. Weeks moved to approve April 17, 2023, Board Meeting Minutes with the two amendments mentioned above. Board Member Yolanda Jimenez seconded.

No comments were received from the public.

Motion to approve April 17, 2023, Board Meeting Minutes carried; 10 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted “Yes”: Calimay Pham, Tonya Fairley, Megan Ellis, Kellie Funk, Reese Isbell, Yolanda Jimenez, Colette Kavanaugh, Danielle Munoz, Jacob Rostovsky, Steve Weeks.

#### **6. AGENDA ITEM #6, EXECUTIVE MANAGEMENT REPORTS (KRISTY UNDERWOOD)**

Ms. Underwood announced that the contractor that usually prepares the meeting minutes decided to close, so the Board is in the process of finding a new vendor. The next meeting minutes may be prepared by staff. Ms. Underwood introduced the chiefs and managers in attendance and thanked them for keeping the board functioning.

##### **a) Administration and Operations**

Ms. Underwood mentioned new staff for budgets and regulations. The Board’s budget is strong, and the next board meeting will have the full fiscal year budget. Board staff are continuing to review fees, but the fee analysis has not been completed at this time. It is likely that the re-examination fee will decrease.

##### **b) Licensing, Examinations, and Disciplinary Review Appeals**

Ms. Underwood reported that the Board has lost licensing staff due to promotions. Hiring is still an issue in the state, not just the Board. Emails continue to stay at a high number as staff must balance processing applications and answering emails.

Board Member Tonya Fairley asked if anything is being done to reduce barriers for candidates applying for state positions. Ms. Underwood answered that there aren’t many barriers for the licensing positions. They are typically entry level positions and there a continuous exam. Also, even though Staff Services Analyst positions no longer require a college degree, there has not been an increase in applications.

Board Member Jacob Rostovsky asked if there are flyers that can be shared, to which Ms. Underwood stated she would provide those to board members.

Mr. Weeks asked about the progress on the Board having its own call center as it is important and a need for the Board. Ms. Underwood explained it is being worked on, but it is difficult to hire staff.

Ms. Underwood shared that the Board has implemented the hairstylist license, but only a small number of schools requested approval for the hairstylist program.

Ms. Underwood reported that the Board is continuing to look at pass rates. She has had conversations with the National Accrediting Commission of Career Arts and Sciences (NACCAS) about accredited schools with low pass rates, and an update will be provided at the next board meeting.

Mr. Isbell stated that the number of people who took the exam in Simplified Chinese shows how many people were in need and he was proud of staff for making this happen. Ms. Underwood shared that quite a few people previously applied for the exam and the Board allowed them to wait and take the exam in Simplified Chinese.

Mr. Weeks thanked staff for the new statistics on pass rates by exam attempt number. He asked if there was a statutory time to wait between taking exams. Ms. Underwood answered no and stated that the Board is caught up on processing re-examination applications. She would like to see if taking the exam again quickly after helps increase the pass rate, however it is up to candidates to choose when to schedule their re-examination.

Ms. Underwood directed the attention to the new chart showing examination and re-examination applications received per month indicating that the Board is busiest in June. She believes this is because state government's fiscal year ends in June and many schools tend to end in June.

Ms. Underwood shared that apprentice passing rates continue to be low and she has continued to have conversations with the Department of Consumer Affairs (DCA) and the Division of Apprenticeship Standards. She is waiting for a follow up meeting.

Ms. Underwood stated that the number of pending appeals is the lowest she has seen in all her years as the Executive Officer. She believes this indicates that the inspections program has improved in education licensees more. The Board is still seeing several practice of medicine cases. She will be meeting with DCA and other Executive Officers to discuss the overlapping issue of medical spas, body slimming, and what they can do – she will have an update at the next board meeting.

### **c) Enforcement, Inspections, and Cite and Fine**

Ms. Underwood noted that the Board has 3 new analysts and 2 special investigators. The special investigators have a higher level of enforcement as they can interview consumers that have been harmed, interview establishments/licensees, and work with expert consultants. She stated that this quarter had the highest number of complaints received.



**d) Outreach**

Ms. Underwood has attended various outreach events. Recently she held a class in Las Vegas about the state of the industry for esthetics. There were new publications introduced and several email blasts were sent to promote upcoming events and townhall meetings. The first two townhalls were successful and the Board plans to hold them quarterly. Board Member Kellie Funk expressed that she was impressed with the social media posts, as were Mr. Isbell and Mr. Rostovsky.

**e) SB 803 (Roth) Implementation Plan**

Ms. Underwood noted that this would be the last time board members saw this section as the items are either fully implemented or discussed in other sections of the board meeting.

**f) Strategic Plan Update**

Ms. Underwood stated that the Board is working on the strategic plan tasks and each unit reports to her and Deputy Executive Officer Carrie Harris about their progress monthly.

**g) Legislative Update:**

- i. **AB 1328 (Gipson) Cosmetology Licensure Compact**
- ii. **SB 247 (Wilk) Alcoholic beverages: licensing exemptions: barbering and cosmetology services**
- iii. **SB 384 (Bradford) Barbering and Cosmetology**
- iv. **SB 451 (Nguyen) Worker classification: employees and independent contractors: licensed manicurists**
- v. **SB 544 (Laird) Bagley-Keene Open Meeting Act: teleconferencing**
- vi. **SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees**

Ms. Underwood stated that the new format was borrowed from another Board as this simplified report is easier to see that status for bills the Board has already taken positions on.

Ms. Underwood anticipates AB 1328 will have a hearing in the fall. This would be the first compact bill in occupational licensing, so she believes Senator Roth wants to take a longer look at this bill and get more information on how compacts work. Ms. Underwood stating that SB 247 continues to move. SB 384 has had a positive response through the entire process, so she hopes it gets to the Governor’s office soon. SB 451 is a two-year bill. SB 544 continues to move, but there may be some amendments soon. SB 817 is to clarify that the Board has an application fee for the hairstylist license type.

**Public Comment:**

- Wendy Cochran with the California Aesthetics Alliance stated the townhalls were handled greatly by Ms. Underwood and Ms. Harris. She stated social media engagement is positive and hopes to have more posts clarifying different

services and specific devices. She also stated that Sunset is coming up and the Board needs control of schools.

## **7. AGENDA ITEM #7, OVERVIEW OF THE ESTHETICS SCOPE OF PRACTICE**

Ms. Underwood provided an overview of esthetics. The memo provided the scope and listed some services estheticians may and may not provide. She will be meeting with other Boards and DCA to come up with a plan to address esthetics crossing over into the medical field.

Ms. Funk expressed her love of microdermabrasion because the effectiveness and minimal risk to the vast majority is huge.

### **Public Comment:**

- Wendy Cochran recommended that the Board should receive esthetic services to understand what they are like. She stated the future of esthetics and Electrology should allow for medical oversight so licensees can collaborate with medical professionals.

## **8. AGENDA ITEM #8, DISCUSSION OF THE DIVERSITY, EQUITY, AND INCLUSION COMMITTEE'S ROLE AND FOCUS**

Ms. Underwood explained that the last board meeting established the Diversity, Equity, and Inclusion (DEI) Committee, but members wanted to talk about the purview and direction of the committee. She would like the Committee to think of messages to share with schools about teaching textured hair.

Ms. Fairley and Mr. Isbell questioned how we would know which underrepresented communities to direct attention to. Ms. Munoz suggested inviting licensees and individuals from communities to meetings. Mr. Rostovsky stated the Committee should first assess the need.

Ms. Underwood stating staff would move forward with setting the meeting date so the Committee could further discuss.

### **Public Comment:**

- Jaime Schrabek, Precision Nails, stated that as a licensee and salon owner, it would be useful if the Board would educate about gender pricing, making establishments accessible to disabled persons, and other existing state and federal laws about preventing discrimination in businesses.

**9. AGENDA ITEM #9, DISCUSSION AND UPDATE REGARDING RULEMAKING PROPOSALS:**

- a) **Discussion and Possible Action to Consider Changes to Previously Proposed Text and Reauthorization of a Regular Rulemaking to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, 962, and 988, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4 (SB 803 Clean Up)**
- b) **Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)**
- c) **Update Regarding Rulemaking to Amend Title 16, CCR section 950.10 (Transfer of Credit)**
- d) **Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)**
- e) **Update Regarding Rulemaking Proposal to Amend Title 16, CCR section 972 (Disciplinary Guidelines)**

Ms. Underwood stated that staff and regulation counsel made additional edits to the SB-803 package. The updated language and forms were provided. Processing times were removed, "good standing" was defined, pre-applications were removed, language was added to the interpreter application regarding consent to record, along with other minor changes.

**Motion:** Ms. Munoz moved to rescind the Board's prior January 23, 2023 motion and approve the proposed regulatory text and changes for Title 16, CCR sections 904, 909, 931, 932, 937, 962, 998, 928, 934, 950.1, 950.2, 950.3, and 950.4 as provided in the meeting materials at Attachment 2, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 904, 909, 931, 932, 937, 962, and repeal sections 928, 934, 950.1, 950.2, 950.3, 950.4 and 998 as noticed. Ms. Fairley seconded.

**Public Comment**

- Jaime Schrabek, Precision Nails, stated that mobile units should be required to have a ramp and it should not be an option.

Board Regulation Counsel, Kristy Schieldge, clarified that the language regarding mobile unit ramps was already existing text.

Motion to rescind the Board's prior January 23, 2023 motion and approve the proposed regulatory text and changes for Title 16, CCR sections 904, 909, 931, 932, 937, 962,

998, 928, 934, 950.1, 950.2, 950.3, and 950.4 as provided in the meeting materials at Attachment 2, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 904, 909, 931, 932, 937, 962, and repeal sections 928, 934, 950.1, 950.2, 950.3, 950.4 and 998 as noticed carried; 10 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted "Yes": Calimay Pham, Tonya Fairley, Megan Ellis, Kellie Funk, Reese Isbell, Yolanda Jimenez, Colette Kavanaugh, Danielle Munoz, Jacob Rostovsky, Steve Weeks.

Ms. Underwood noted that the apprenticeship, schools and externs, and disciplinary guidelines packages were being worked on by staff. The Transfer of Credit package was submitted to the Office of Administrative Law (OAL) on June 29, 2023, and OAL has 30 working days to review.

#### **10. AGENDA ITEM #10, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Alexander Krainiy, a Ukrainian and Russian Interpreter, stated that he has interpreted for 6 exams and had to decline others because the Board's two-year restriction for interpreters. The only justification he has received is that this requirement is to prevent coaching/cheating, but he would like the Board to review this policy.

#### **11. AGENDA ITEM #11, SUGGESTIONS FOR FUTURE AGENDA ITEMS**

Mr. Rostovsky proposed adding a discussion regarding interpretation of exams. President Pham reminded staff to add discussion of trends at Disciplinary Review Committee hearings.

No comments from the public were received.

#### **12. AGENDA ITEM #12, ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at approximately 12:49 p.m.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR  
 DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY  
 P.O. Box 944226, Sacramento, CA 94244-2260  
 Phone: (800) 952-5210 Email: [barbercosmo@dca.ca.gov](mailto:barbercosmo@dca.ca.gov)  
 Website: [www.barbercosmo.ca.gov](http://www.barbercosmo.ca.gov)



## MEMORANDUM

<b>DATE</b>	October 16, 2023
<b>TO</b>	Board of Barbering and Cosmetology
<b>FROM</b>	Alex Torkelson, Licensing and Operations Chief
<b>SUBJECT</b>	<b>Agenda Item 7a Administration/Operations Report</b>

### Staffing

The Administration/Operations Unit is fully staffed.

### Moving the Office

We are preparing for our office to move to the Department of Consumer Affairs headquarters which means we are purging as much as we can, creating a moving contract for movers to collect our items and move them to the new location, and getting organized to pack everything up.

### Budget Projection Reports and Fund Condition

Below is the Budget Report Fiscal Year (FY) 2022-23 Expenditure Projection based on Fiscal Month 13 (FM) (July 2023). Based on these projections, the Board is scheduled to revert \$3,203,640 back into the Board's Fund.

#### Board of Barbering and Cosmetology FM 13 Fiscal Year 2022/23 Projected Expenditures July 2023

Personnel Services	ALLOTMENT	BBC Projected Expenditures	Projected Year
5100 Permanent	\$5,790,000	\$4,345,940	\$1,444,060
5100 Temporary	\$587,000	\$303,071	\$283,929
5105-5108 Per Diem, Overtime & Lump Sum	\$0	\$41,654	(\$41,654)
5150 Staff Benefits	\$3,470,000	\$2,753,296	\$716,704
5170 Salary Savings	\$0	\$0	\$0
<b>Total of Personnel Services</b>	<b>\$9,847,000</b>	<b>\$7,443,962</b>	<b>\$2,403,038</b>
Operating Expenses & Equipment (OE&E)	Allotment	BBC Projected Expenditures	Projected Year End Balance
5301 General Expense	\$166,000	\$103,479	\$62,521
5302 Printing	\$250,000	\$471,392	(\$221,392)
5304 Communication	\$21,000	\$43,651	(\$22,651)
5306 Postage	\$232,000	\$43,929	\$188,071
5308 Insurance	\$4,000	\$13,245	(\$9,225)
53202-204 Travel In State	\$73,000	\$66,046	\$6,954
53206-208 Travel, Out-of-State	\$0	\$247	(\$247)
5322 Training	\$11,000	\$5,665	\$5,335
5324 Facilities Operations	\$1,022,000	\$1,084,387	-\$62,387
53402-53404 Attorney General, OAH, C&P Services Interdept	\$1,672,000	\$664,947	\$1,007,053
53404-53405 Consultant & Professional Svcs. - External	\$1,646,000	\$2,222,727	(\$576,727)
5342 DCA Pro Rata	\$6,080,000	\$5,531,450	\$548,550
5342 Interagency Services	\$1,000	\$80,615	(\$79,615)
5344 Consolidated Data Center	\$68,000	\$33,582	\$34,418
5346 Information Technology	\$35,000	\$57,426	(\$22,426)
5362-5368 Equipment	\$223,000	\$224,370	(\$1,370)
5390 Other Items of Expense & Vehicles	\$43,000	\$67,612	(\$24,612)
54 Special Items and Expenses	\$0	\$31,631	(\$31,631)
<b>Total Operating Expenses &amp; Equipment</b>	<b>\$11,547,000</b>	<b>\$10,746,399</b>	<b>\$800,601</b>
<b>Total Expenses</b>	<b>\$11,547,000</b>	<b>\$18,190,360</b>	<b>\$3,203,640</b>
Schedule Reim. Other			
<b>Net Appropriation</b>	<b>\$21,394,000</b>	<b>\$18,190,360</b>	<b>\$3,203,640</b>
		<b>SURPLUS/(DEFICIT)</b>	<b>14.97%</b>

The below analysis of the Board’s Fund Condition projects to have 13.3 months in reserve for FY 2022-23. This means the Board would be able to continue to operate for 13.3 months without collecting any additional revenue. Due to expenditures naturally increasing, the Board’s fund will start to decrease, beginning in FY 2023/24, down to 12.2 months of revenue in reserves.

**0069 - Barbering and Cosmetology Contingency Fund Analysis of Fund Condition**

Prepared Date 9.14.2023

(Dollars in Thousands)

2023-24 Governor’s Budget w\_FM 13 Projections

	ACTUAL 2021-22	PY 2022-23	CY 2023-24	BY 2024-25	BY +1 2025-26	BY +2 2026-27
<b>BEGINNING BALANCE</b>	\$ 23,812	\$ 26,587	\$ 24,442	\$ 22,920	\$ 45,848	\$ 43,773
Prior Year Adjustment	\$ 2,727	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 26,539	\$ 26,587	\$ 24,442	\$ 22,920	\$ 45,848	\$ 43,773
<b>REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>						
Revenues						
4121200 - Delinquent fees	\$ 223	\$ 289	\$ 1,079	\$ 1,079	\$ 1,079	\$ 1,079
4127400 - Renewal fees	\$ 439	\$ 3,307	\$ 9,584	\$ 9,584	\$ 9,584	\$ 9,584
4129200 - Other regulatory fees	\$ 2,003	\$ 2,501	\$ 5,207	\$ 5,207	\$ 5,207	\$ 5,207
4129400 - Other regulatory licenses and permits	\$ 4,120	\$ 5,052	\$ 4,340	\$ 4,340	\$ 4,340	\$ 4,340
4143500 - Miscellaneous Services to the Public	\$ 15	\$ 10	\$ -	\$ -	\$ -	\$ -
4163000 - Income from surplus money investments	\$ 138	\$ 638	\$ 219	\$ 308	\$ 647	\$ 606
4170400 - Capital Asset Sales Proceeds	\$ -	\$ 30	\$ -	\$ -	\$ -	\$ -
4171400 - Escheat of unclaimed checks and warrants	\$ 13	\$ 17	\$ 12	\$ 12	\$ 12	\$ 12
4172500 - Miscellaneous revenues	\$ 4	\$ 4	\$ 8	\$ 8	\$ 8	\$ 8
Totals, Revenues	\$ 6,955	\$ 11,848	\$ 20,449	\$ 20,538	\$ 20,877	\$ 20,836
Loan from the General Fund (0001) to the Barbering and Cosmetology Contingent Fund (0069) per Item 11111-011-0069, Budget Act of 2020	\$ -	\$ -	\$ -	\$ 25,000	\$ -	\$ -
Operating Transfers To General Fund 0001 per EO E 21/22-276 Revised (AB 84)	\$ -723	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Transfers and Other Adjustments	\$ -723	\$ -	\$ -	\$ 25,000	\$ -	\$ -
<b>TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>	\$ 6,232	\$ 11,848	\$ 20,449	\$ 45,538	\$ 20,877	\$ 20,836
<b>TOTAL RESOURCES</b>	\$ 32,771	\$ 38,435	\$ 44,891	\$ 68,458	\$ 66,725	\$ 64,609
Expenditures:						
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 17,479	\$ 18,124	\$ 21,295	\$ 21,934	\$ 22,592	\$ 23,270
9892 Supplemental Pension Payments (State Operations)	\$ 316	\$ 316	\$ 316	\$ 316	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 1,189	\$ 1,197	\$ 360	\$ 360	\$ 360	\$ 360
Less funding provided by the General Fund (State Operations)	\$ -12,800	\$ -5,644	\$ -	\$ -	\$ -	\$ -
<b>TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS</b>	\$ 6,184	\$ 13,993	\$ 21,971	\$ 22,610	\$ 22,952	\$ 23,630
<b>FUND BALANCE</b>						
Reserve for economic uncertainties	\$ 26,587	\$ 24,442	\$ 22,920	\$ 45,848	\$ 43,773	\$ 40,980
Months in Reserve	22.8	13.3	12.2	24.3	22.9	20.8

**NOTES:**  
Assumes workload and revenue projections are realized in BY +1 and ongoing.  
Expenditure growth projected at 3% beginning BY +1.



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# MEMORANDUM

<b>DATE</b>	October 16, 2023
<b>TO</b>	Board of Barbering and Cosmetology
<b>FROM</b>	Alex Torkelson, Licensing and Operations Chief
<b>SUBJECT</b>	<b>Agenda Item 7b Licensing, Exams, and Disciplinary Review Committee Report</b>

## Licensing

### Staffing Update

Current Positions Allocated to the Licensing Unit: 17  
 Current Number of Vacant Positions: 5

The Board is also seeking to hire 4 psitions on a limited term basis to establish a telephone/e-mail center.

### Emails

We currently have approximately 1,000 pending emails in our inbox each day and our response time is about 10 business days.

### Data

This report will only include data for two months as opposed to the traditionally reported three months. This was due to time constraints on preparing the meeting materials in order to have them posted and mailed in a more timely manner.



**Performance Measures**

**Applications Received**

**Quarterly Applications Received Fiscal Year 23/24**

License Type	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-June	YTD
<b>Personal Service Permit</b>	15				15
<b>Establishment</b>	1,374				1,374
<b>Mobile Unit</b>	6				6
<b>Barber</b>					-
License	-				-
Initial Application	687				687
Re-Exam	912				912
<b>Sub-Total</b>	<b>1,599</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,599</b>
Reciprocity	36				36
Apprentice	225				225
<b>Cosmetology</b>					-
License	-				-
Initial Application	1,638				1,638
Re-Exam	1,303				1,303
<b>Sub-Total</b>	<b>2,941</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,941</b>
Reciprocity	426				426
Apprentice	156				156
<b>Electrology</b>					-
License	-				-
Initial Application	20				20
Re-Exam	16				16
<b>Sub-Total</b>	<b>36</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>36</b>
Reciprocity	1				1
Apprentice	-				-
<b>Esthetician</b>					-
License	-				-
Initial Application	1,500				1,500
Re-Exam	709				709
<b>Sub-Total</b>	<b>2,209</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,209</b>
Reciprocity	142				142
<b>Manicurist</b>					-
License	-				-
Initial Application	879				879
Re-Exam	554				554
<b>Sub-Total</b>	<b>1,433</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,433</b>
Reciprocity	195				195
<b>Hairstylist</b>					-
License	-				-
Initial Application	1				1
Re-Exam	-				-
<b>Sub-Total</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1</b>
Reciprocity	14				14
<b>Total</b>	<b>10,809</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>10,809</b>

\* Data for July and August 2023

**Examinations**

Spanish pass rates continue to be the overall lowest pass rate out of all the languages for each license type.

**Written Exam Results July 1, 2023 - August 31, 2023**

<b>Barber</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
Chinese	0	0	0	0%
English	564	1,065	1,629	35%
Korean	0	0	0	0%
Spanish	27	224	251	11%
Vietnamese	9	26	35	26%
<b>Total</b>	<b>600</b>	<b>1,315</b>	<b>1,915</b>	<b>31%</b>

<b>Cosmo</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
Chinese	78	104	182	43%
English	1,172	1,090	2,262	52%
Korean	8	20	28	29%
Spanish	102	504	606	17%
Vietnamese	49	133	182	27%
<b>Total</b>	<b>1,409</b>	<b>1,851</b>	<b>3,260</b>	<b>43%</b>

<b>Esthetician</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
Chinese	87	57	144	60%
English	1,270	581	1,851	69%
Korean	9	8	17	53%
Spanish	19	17	36	53%
Vietnamese	48	120	168	29%
<b>Total</b>	<b>1,433</b>	<b>783</b>	<b>2,216</b>	<b>65%</b>

<b>Manicurist</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
Chinese	47	21	68	69%
English	421	186	607	69%
Korean	2	6	8	25%
Spanish	32	37	69	46%
Vietnamese	423	432	855	49%
<b>Total</b>	<b>925</b>	<b>682</b>	<b>1,607</b>	<b>58%</b>

<b>Electrologist</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
English	20	15	35	57%
Korean	0	0	0	0%
Spanish	0	0	0	0%
Vietnamese	0	0	0	0%
<b>Total</b>	<b>20</b>	<b>15</b>	<b>35</b>	<b>57%</b>

**Examination Pass Rates Based on Number of Exam Attempts****Barber Examinations**

Chinese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	0	0	0	NA
2nd Time	0	0	0	NA
3rd Time	0	0	0	NA
4th Time	0	0	0	NA
5th+ Time	0	0	0	NA
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>NA</b>

English	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	241	296	537	45%
2nd Time	104	202	306	34%
3rd Time	54	130	184	29%
4th Time	23	66	89	26%
5th+ Time	31	98	129	24%
<b>Total</b>	<b>453</b>	<b>792</b>	<b>1,245</b>	<b>36%</b>

Korean	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	0	0	0	NA
2nd Time	0	0	0	NA
3rd Time	0	0	0	NA
4th Time	0	0	0	NA
5th+ Time	0	0	0	NA
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>NA</b>

Spanish	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	11	44	55	20%
2nd Time	4	34	38	11%
3rd Time	1	20	21	5%
4th Time	1	18	19	5%
5th+ Time	4	29	33	12%
<b>Total</b>	<b>21</b>	<b>145</b>	<b>166</b>	<b>13%</b>

Vietnamese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	2	11	13	15%
2nd Time	4	6	10	40%
3rd Time	1	4	5	20%
4th Time	0	2	2	0%
5th+ Time	2	1	3	67%
<b>Total</b>	<b>9</b>	<b>24</b>	<b>33</b>	<b>27%</b>

**Cosmetology Examinations**

Chinese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	25	40	65	38%
2nd Time	23	29	52	44%
3rd Time	20	11	31	65%
4th Time	20	6	26	77%
5th+ Time	28	15	43	65%
<b>Total</b>	<b>116</b>	<b>101</b>	<b>217</b>	<b>53%</b>

English	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	704	387	1,091	65%
2nd Time	180	221	401	45%
3rd Time	67	117	184	36%
4th Time	38	65	103	37%
5th+ Time	33	80	113	29%
<b>Total</b>	<b>1,022</b>	<b>870</b>	<b>1,892</b>	<b>54%</b>

Korean	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	2	7	9	22%
2nd Time	3	4	7	43%
3rd Time	2	2	4	50%
4th Time	1	2	3	33%
5th+ Time	0	2	2	0%
<b>Total</b>	<b>8</b>	<b>17</b>	<b>25</b>	<b>32%</b>

Spanish	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	32	82	114	28%
2nd Time	11	54	65	17%
3rd Time	9	46	55	16%
4th Time	8	32	40	20%
5th+ Time	6	74	80	8%
<b>Total</b>	<b>66</b>	<b>288</b>	<b>354</b>	<b>19%</b>

Vietnamese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	22	36	58	38%
2nd Time	10	25	35	29%
3rd Time	4	26	30	13%
4th Time	6	9	15	40%
5th+ Time	3	15	18	17%
<b>Total</b>	<b>45</b>	<b>111</b>	<b>156</b>	<b>29%</b>

### Esthetician Examinations

Chinese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	47	27	74	64%
2nd Time	26	10	36	72%
3rd Time	5	12	17	29%
4th Time	4	3	7	57%
5th+ Time	1	4	5	20%
<b>Total</b>	<b>83</b>	<b>56</b>	<b>139</b>	<b>60%</b>

English	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	936	257	1,193	78%
2nd Time	158	120	278	57%
3rd Time	62	52	114	54%
4th Time	18	35	53	34%
5th+ Time	18	57	75	24%
<b>Total</b>	<b>1,192</b>	<b>521</b>	<b>1,713</b>	<b>70%</b>

Korean	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	5	5	10	50%
2nd Time	2	2	4	50%
3rd Time	1	1	2	50%
4th Time	0	0	0	NA
5th+ Time	1	0	1	100%
<b>Total</b>	<b>9</b>	<b>8</b>	<b>17</b>	<b>53%</b>

Spanish	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	11	4	15	73%
2nd Time	1	1	2	50%
3rd Time	2	0	2	100%
4th Time	3	3	6	50%
5th+ Time	2	6	8	25%
<b>Total</b>	<b>19</b>	<b>14</b>	<b>33</b>	<b>58%</b>

Vietnamese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	25	35	60	42%
2nd Time	14	18	32	44%
3rd Time	4	17	21	19%
4th Time	1	12	13	8%
5th+ Time	1	15	16	6%
<b>Total</b>	<b>45</b>	<b>97</b>	<b>142</b>	<b>32%</b>

**Manicurist Examinations**

Chinese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	21	8	29	72%
2nd Time	6	4	10	60%
3rd Time	7	3	10	70%
4th Time	4	4	8	50%
5th+ Time	4	2	6	67%
<b>Total</b>	<b>42</b>	<b>21</b>	<b>63</b>	<b>67%</b>

English	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	327	88	415	79%
2nd Time	48	35	83	58%
3rd Time	11	13	24	46%
4th Time	5	10	15	33%
5th+ Time	2	12	14	14%
<b>Total</b>	<b>393</b>	<b>158</b>	<b>551</b>	<b>71%</b>

Korean	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	2	2	4	50%
2nd Time	0	1	1	NA
3rd Time	0	0	0	NA
4th Time	0	1	1	NA
5th+ Time	0	2	2	NA
<b>Total</b>	<b>2</b>	<b>6</b>	<b>8</b>	<b>25%</b>

Spanish	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	27	17	44	61%
2nd Time	4	8	12	33%
3rd Time	0	4	4	NA
4th Time	0	1	1	NA
5th+ Time	1	0	1	100%
<b>Total</b>	<b>32</b>	<b>30</b>	<b>62</b>	<b>52%</b>

Vietnamese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	249	124	373	67%
2nd Time	67	82	149	45%
3rd Time	38	50	88	43%
4th Time	15	42	57	26%
5th+ Time	28	79	107	26%
<b>Total</b>	<b>397</b>	<b>377</b>	<b>774</b>	<b>51%</b>

### Electrology Examinations

Chinese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	0	0	0	NA
2nd Time	0	0	0	NA
3rd Time	0	0	0	NA
4th Time	0	0	0	NA
5th+ Time	0	0	0	NA
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>NA</b>

English	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	12	9	21	57%
2nd Time	6	4	10	60%
3rd Time	1	1	2	50%
4th Time	0	0	0	NA
5th+ Time	0	0	0	NA
<b>Total</b>	<b>19</b>	<b>0</b>	<b>33</b>	<b>58%</b>

Korean	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	0	0	0	NA
2nd Time	0	0	0	NA
3rd Time	0	0	0	NA
4th Time	0	0	0	NA
5th+ Time	0	0	0	NA
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>NA</b>

Spanish	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	0	0	0	NA
2nd Time	0	0	0	NA
3rd Time	0	0	0	NA
4th Time	0	0	0	NA
5th+ Time	0	0	0	NA
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>NA</b>

Vietnamese	Passed	Failed	Total	Pass Rate July - August 2023
1st Time	0	0	0	NA
2nd Time	0	0	0	NA
3rd Time	0	0	0	NA
4th Time	0	0	0	NA
5th+ Time	0	0	0	NA
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>NA</b>

Written Exam Results by Educational Background

Exam passing scores for candidates coming from California school programs continue to be much higher than scores of candidates coming from apprentice programs and out-of-country school backgrounds.

**Written Exam Results July 1, 2023 - August 31, 2023  
Comparison of Schools, Apprentice Programs, and Out of Country**

**Written Exam Results - Apprentice Program**

License Type	Passed	Failed	Total	Pass Rate
Barber	147	385	532	28%
Cosmetologist	132	431	563	23%
Esthetician	0	0	0	0%
<b>Total</b>	<b>279</b>	<b>816</b>	<b>1,095</b>	<b>25%</b>

**Written Exam Results - Out of Country**

License Type	Passed	Failed	Total	Pass Rate
Barber	6	68	74	8%
Cosmetologist	88	176	264	33%
Electrologist	0	3	3	0%
Esthetician	35	31	66	53%
Manicure	12	27	39	31%
<b>Total</b>	<b>141</b>	<b>305</b>	<b>446</b>	<b>32%</b>

**Written Exam Results - School Program**

License Type	Passed	Failed	Total	Pass Rate
Barber	447	862	1,309	34%
Cosmetologist	1,189	1,244	2,433	49%
Electrologist	20	12	32	63%
Esthetician	1,398	752	2,150	65%
Manicurist	913	655	1,568	58%
<b>Total</b>	<b>3,967</b>	<b>3,525</b>	<b>7,492</b>	<b>53%</b>



Written Exam Results by Language

Candidates that attended a California school continue to have a much better average pass rate overall no matter what language as compared to students from out of the country or from apprentice programs.

**Written Exam Results by Language July 1, 2023 to August 31, 2023  
Comparison of Schools, Apprentice Programs, and Out of Country**

**Apprentice Programs**

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	137	303	440	31%
Spanish	10	82	92	11%
Vietnamese	0	0	0	0%
<b>Total</b>	<b>147</b>	<b>385</b>	<b>532</b>	<b>28%</b>

Cosmo	Passed	Failed	Total	Pass Rate
English	69	80	149	46%
Korean	0	1	1	0%
Spanish	63	335	398	16%
Vietnamese	0	15	15	0%
<b>Total</b>	<b>132</b>	<b>431</b>	<b>563</b>	<b>23%</b>

**Out of Country Schools**

Barber	Passed	Failed	Total	Pass Rate
English	4	26	30	13%
Korean	0	0	0	0%
Spanish	2	42	44	5%
<b>Total</b>	<b>6</b>	<b>68</b>	<b>74</b>	<b>8%</b>

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	40	65	105	38%
English	37	33	70	53%
Korean	0	5	56	0%
Spanish	7	56	63	11%
Vietnamese	4	17	21	19%
<b>Total</b>	<b>88</b>	<b>176</b>	<b>264</b>	<b>33%</b>

Electrology	Passed	Failed	Total	Pass Rate
English	0	3	3	0%
<b>Total</b>	<b>0</b>	<b>3</b>	<b>3</b>	<b>0%</b>

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	7	7	14	50%
English	23	20	43	53%
Korean	1	0	1	100%
Spanish	4	2	6	67%
Vietnamese	0	2	2	0%
<b>Total</b>	<b>35</b>	<b>31</b>	<b>66</b>	<b>53%</b>

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	7	14	21	33%
Korean	1	0	1	100%
Spanish	0	3	3	0%
Vietnamese	4	10	14	29%
<b>Total</b>	<b>12</b>	<b>27</b>	<b>39</b>	<b>31%</b>

**School Programs**

<b>Barber</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
Chinese	0	0	0	0%
English	423	736	1,159	36%
Korean	0	0	0	0%
Spanish	15	100	115	13%
Vietnamese	9	26	35	26%
<b>Total</b>	<b>447</b>	<b>862</b>	<b>1,309</b>	<b>34%</b>

<b>Cosmo</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
Chinese	38	39	77	49%
English	1,066	977	2,043	52%
Korean	8	14	22	36%
Spanish	32	113	145	22%
Vietnamese	45	101	146	31%
<b>Total</b>	<b>1,189</b>	<b>1,244</b>	<b>2,433</b>	<b>49%</b>

<b>Electrologist</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
English	20	12	32	63%
<b>Total</b>	<b>20</b>	<b>12</b>	<b>32</b>	<b>63%</b>

<b>Esthetician</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
Chinese	80	50	130	62%
English	1,247	561	1,808	69%
Korean	8	8	16	50%
Spanish	15	15	30	50%
Vietnamese	48	118	166	29%
<b>Total</b>	<b>1,398</b>	<b>752</b>	<b>2,150</b>	<b>65%</b>

<b>Manicurist</b>	<b>Passed</b>	<b>Failed</b>	<b>Total</b>	<b>Pass Rate</b>
Chinese	47	21	68	69%
English	414	172	586	71%
Korean	1	6	7	14%
Spanish	32	34	66	48%
Vietnamese	419	422	841	50%
<b>Total</b>	<b>913</b>	<b>655</b>	<b>1,568</b>	<b>58%</b>

Average Days from Graduation to Passing Examination Date

First time test takers that take their examination closer to their graduation date are more successful than candidates that take their examination farther away from their graduation date.

<b>Average Number of Days from Graduate to First Exam Date for Candidates that Passed the Exam During First Attempt</b>		
<b>Passed</b>	<b>Days</b>	<b>Number of Candidates</b>
<b>Barber</b>	126	407
<b>Cosmetology</b>	164	1228
<b>Electrology</b>	52	14
<b>Esthetician</b>	118	1560
<b>Manicurist</b>	135	913
<b>Overall</b>	<b>136</b>	<b>4122</b>

<b>Average Number of Days from Graduate to First Exam Date for Candidates that Failed the Exam During First Attempt</b>		
<b>Failed</b>	<b>Days</b>	<b>Number of Candidates</b>
<b>Barber</b>	206	656
<b>Cosmetology</b>	283	904
<b>Electrology</b>	63	10
<b>Esthetician</b>	210	506
<b>Manicurist</b>	176	358
<b>Overall</b>	<b>230</b>	<b>2434</b>

Licenses Issued

**Licenses Issued Fiscal Year 23/24**

License Type	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-June	YTD
Barber	481				481
Barber Apprentice	177				177
Cosmetology	1,368				1,368
Cosmetology Apprentice	135				135
Electrology	19				19
Electrology Apprentice	--				-
Esthetician	1,402				1,402
Manicurist	956				956
Hairstylist	2				2
Establishment	1,061				1,061
Mobile Unit	2				2
Personal Service Permit	21				21
<b>Totals</b>	<b>5,624</b>				<b>5,624</b>

\*Data for July and August 2023

Licenses Issued Last 5 Years

5,624 licenses have been issued so far in FY 23/24.

**Licenses Issued Last 5 Years**

License Type	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY23/24
Barber	1,691	1,085	3,036	1,952	481
Barber Apprentice	810	874	1,422	1,398	177
Cosmetology	4,810	3,153	6,901	6,246	1,368
Cosmetology Apprentice	642	584	963	1,035	135
Electrology	30	26	66	62	19
Electrology Apprentice	0	0	0	0	0
Esthetician	3,699	2,887	7,505	7,601	1,402
Manicurist	3,437	2,065	4,581	4,350	956
Hairstylist	-	-	-	-	2
Establishment	6,937	6,302	6,604	6,351	1,061
Mobile Unit	5	8	12	11	2
Personal Service Permit			16	116	21
<b>Totals</b>	<b>22,061</b>	<b>16,976</b>	<b>31,090</b>	<b>29,122</b>	<b>5,624</b>

License Population

Compared to the previous quarter, the license population has increased from 630,075 to 632,226, a 0.34% increase.

**License Population**

Barber	36,616
Barber Apprentice	2,486
Cosmetology	301,049
Cosmetology Apprentice	1,789
Electrology	1,580
Electrology Apprentice	-
Esthetician	103,405
Manicurist	127,187
Hairstylist	2
Personal Service Permit	155
Establishment	57,883
Mobile Unit	74
<b>Total</b>	<b>632,226</b>

**Disciplinary Review Committee**

**Staffing Update**

Current Positions Allocated to the Disciplinary Review Committee Unit: 3  
 Current Number of Vacant Positions: 1

**Disciplinary Review Committee Appeals**

The number of Northern appeals received in July and August was 19. The number of Southern appeals received for July and August was 39. There were no Northern or Southern appeals heard in July or August.

**Disciplinary Review Committee Appeals Fiscal Year 23/24**

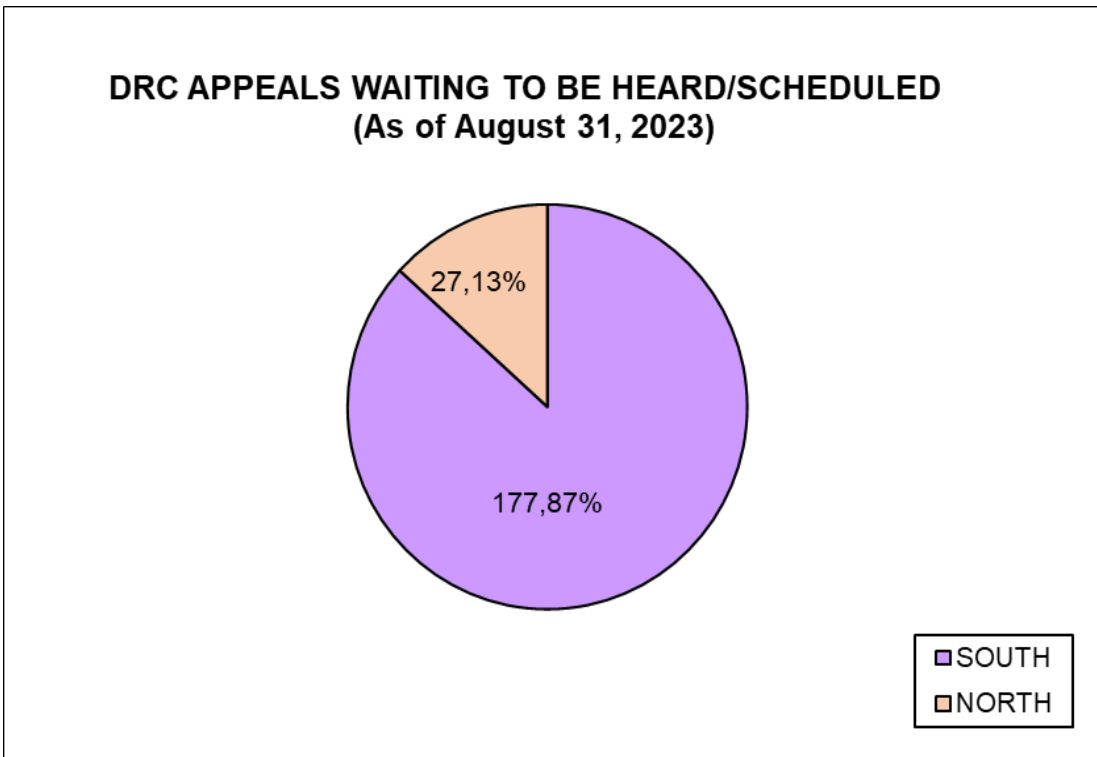
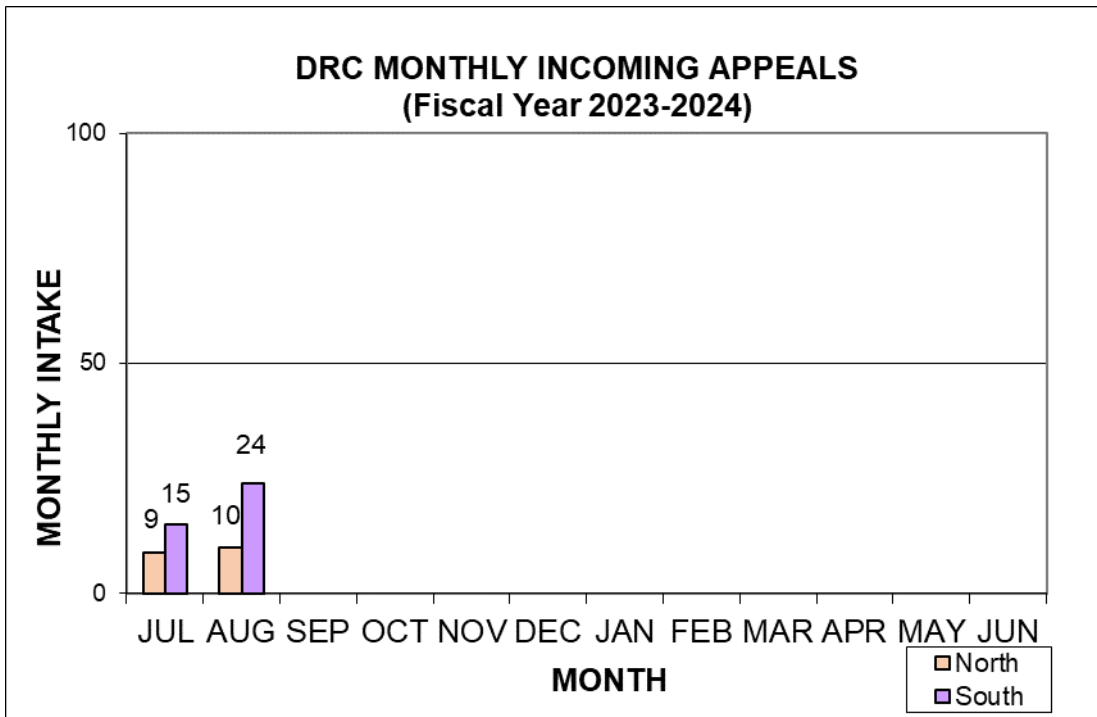
<b>Northern</b>	<b>Jul - Sept*</b>	<b>Oct - Dec</b>	<b>Jan - Mar</b>	<b>Apr - Jun</b>	<b>YTD</b>
Heard	0				0
Received	19				19
Pending <sup>1</sup>	27				27 <sup>2</sup>

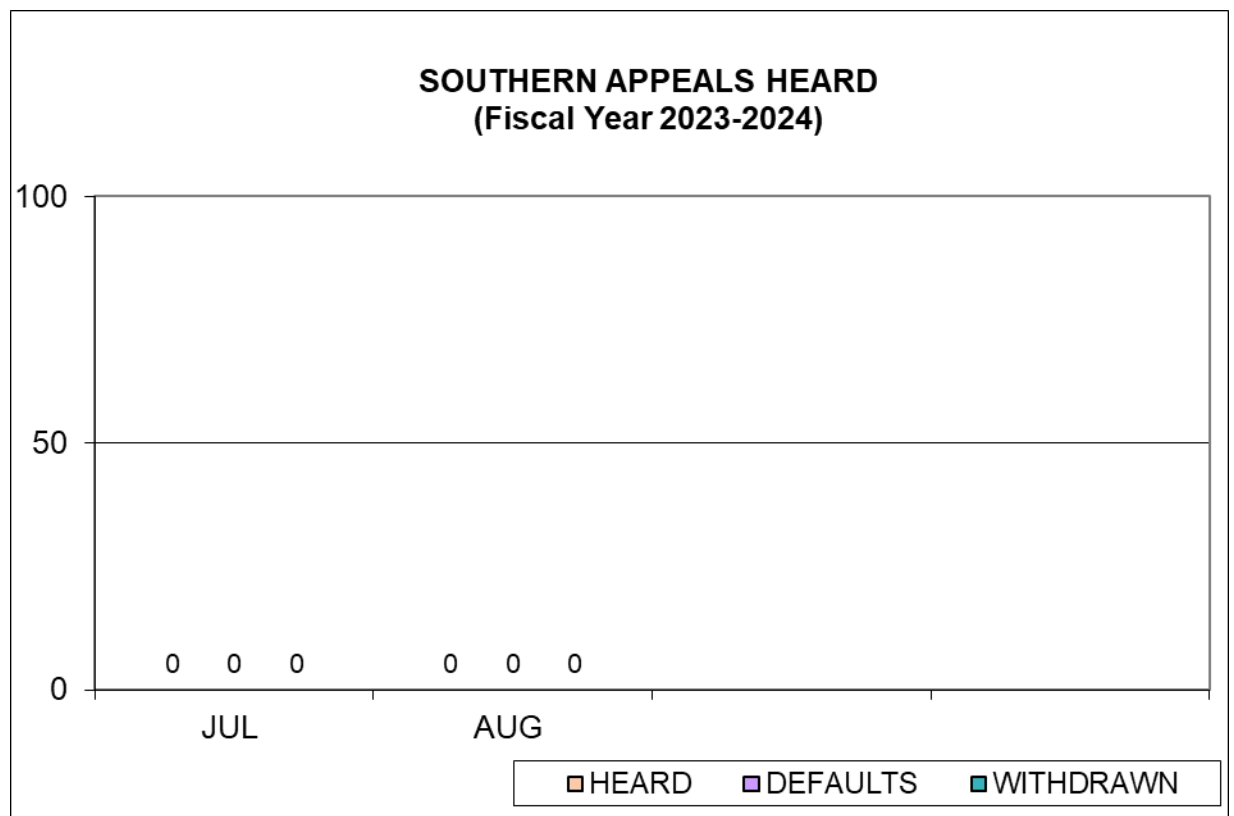
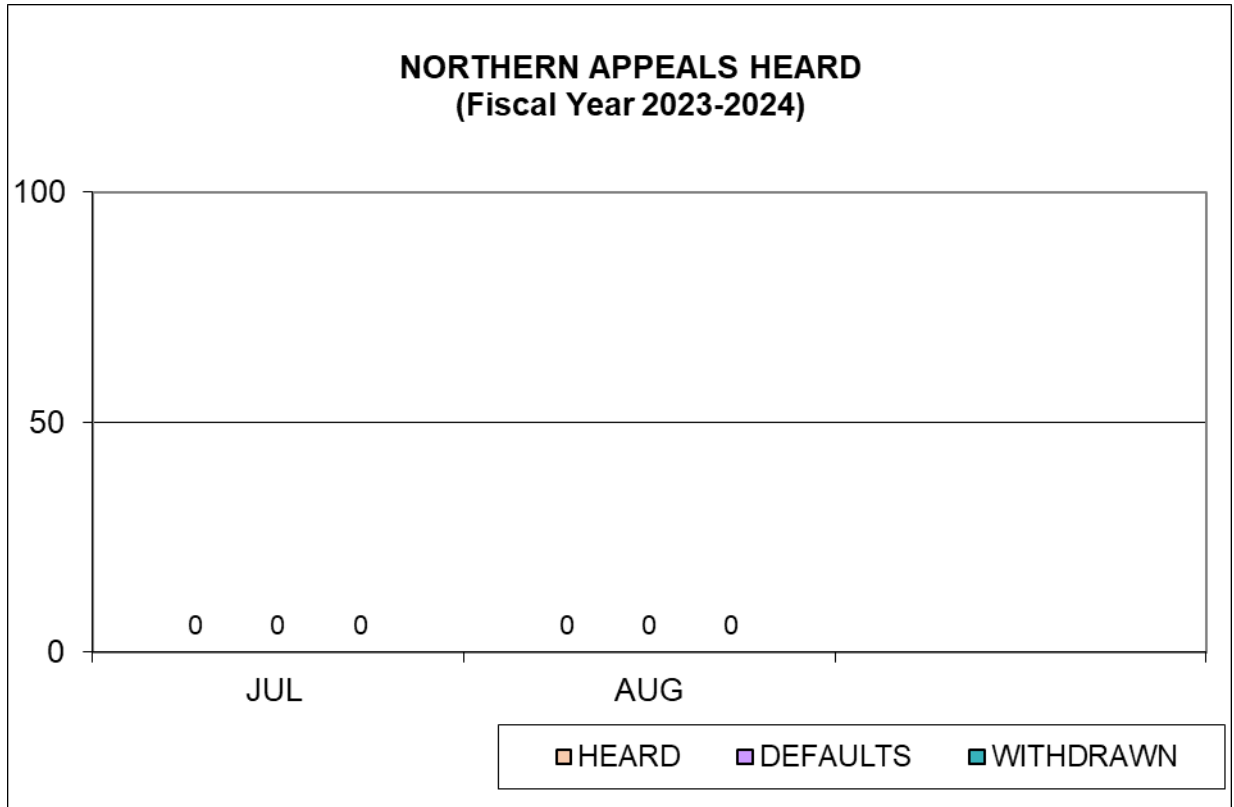
<b>Southern</b>	<b>Jul - Sept*</b>	<b>Oct - Dec</b>	<b>Jan - Mar</b>	<b>Apr - Jun</b>	<b>YTD</b>
Heard	0				0
Received	39				39
Pending <sup>1</sup>	177				177 <sup>2</sup>

<sup>1</sup>Pending refers to the number of appeals received but not yet heard by DRC.

<sup>2</sup>Figure represents number of pending requests as of report date 08/31/2023.

\* Data is for July and August 2023









BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR  
 DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY  
 P.O. Box 944226, Sacramento, CA 94244-2260  
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# MEMORANDUM

<b>DATE</b>	October 16, 2023
<b>TO</b>	Board of Barbering and Cosmetology
<b>FROM</b>	Nicole Quinn, Enforcement Chief
<b>SUBJECT</b>	<b>Agenda Item 7c Enforcement, Inspections, and Cite and Fine Report</b>

## STAFFING UPDATE

Current Positions Allocated to the Enforcement Unit:	20.5
Current Number of Vacant Positions:	2
Current Positions Allocated to the Inspections Unit:	21
Current Number of Vacant Positions:	5
Current Positions Allocated to the Cite & Fine Unit:	12
Current Number of Vacant Positions:	4

## ENFORCEMENT

### Probation

The probation desk currently has 123 open cases. There are currently 86 active cases and 36 cases that are tolled because the licensee is not working. There are currently 1 Immediate Suspension cases open.

### Attorney General’s Office

The number of cases referred to the Attorney General’s Office in the first quarter of FY 2023/24 is 8. The Board currently has 61 cases at the Attorney General’s Office.

### Schools

The Board currently has 258 approved schools and 97 open school cases. The Board received 49 cases in quarter one of FY 2023/24.

**Externs**

The chart below indicates how many schools are participating in the extern program and how many establishments externs are working in.

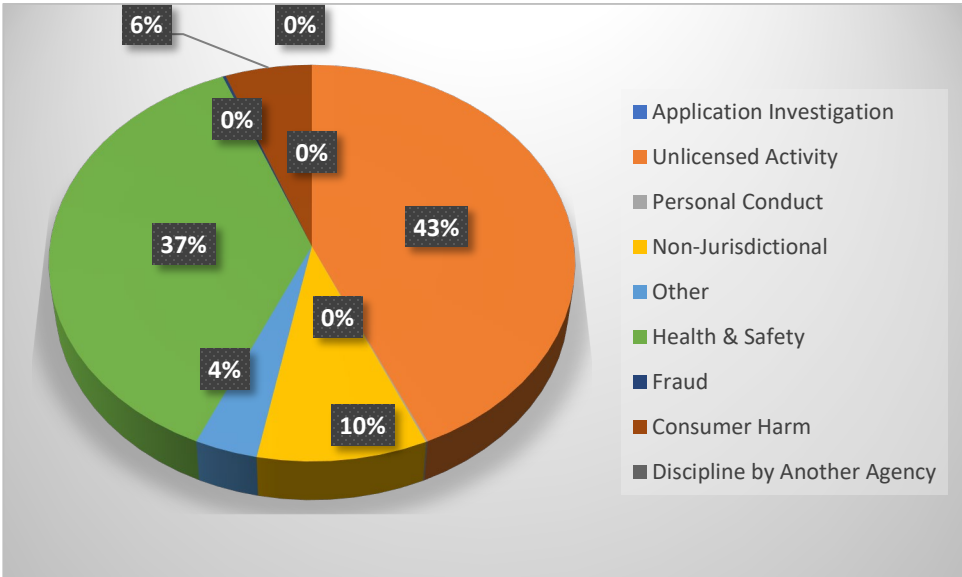
Extern Programs						
	2019	2020	2021	2022	2023	Total
Number of Schools	2	12	10	15	13	52
Number of Establishments	6	56	74	76	72	284

**Complaint Intake**

COMPLAINTS RECIEVED				
FY 2023/24				
Jul-Sept*	Oct-Dec	Jan-March	Apr-May	YTD
1,037				1,037

\*Data for July through August 2023.

**Complaints Received by Complaint Type – July 2023 through August 2023**



**Enforcement Statistics**

<b>COMPLAINTS</b>							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Complaints Received	4,467	5,153	1,033				<b>1,036</b>
Referred to DOI	17	59	3				<b>3</b>
Complaints Closed	4,542	4,052	911				<b>912</b>
Total Complaints Pending	1,356	2,502	2,652				<b>2,652</b>
Average Days to Close (Quarterly)	110	127	166				<b>166</b>
<b>APPLICATION INVESTIGATIONS</b>							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Received	16	20	1				<b>1</b>
Pending	6	54	10				<b>10</b>
Closed	10	15	2				<b>2</b>
<b>ATTORNEY GENERAL</b>							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Referred	29	74	7				<b>7</b>
Accusations Filed	18	43	10				<b>10</b>
Statement of Issues Filed	2	4	1				<b>1</b>
Total Pending	26	73	64				<b>64</b>
<b>DISCIPLINARY PROCESS</b>							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Proposed Decisions	3	3	1				<b>1</b>
Default Decision	2	5	6				<b>6</b>
Stipulation	5	11	2				<b>2</b>

\*Data for July through August 2023.

DISCIPLINARY OUTCOMES							
	FY2021/22	FY2022/223	FY2023/24				
	YTD	YTD	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Revocation	9	8	6				6
Revoke, Stay, Probation	3	5	0				0
Revoke, Stay, Suspend/Prob	2	5	3				3
Revocation, Stay w/ Suspend	0	0	0				0
Probation Only	0	1	0				0
Suspension Only	0	0	0				0
Suspension & Probation	0	0	0				0
Suspension, Stay, Probation	2	0	0				0
Surrender of License	3	2	1				0
Public Reprimands	0	0	0				0
License Denied	0	0	0				0
Other	0	2	0				0
<b>Total</b>	<b>20</b>	<b>23</b>	<b>9</b>				<b>9</b>
PROBATION							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Active	112	97	90				90
CITATIONS							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Establishments	3,262	3,646	503				503
Barber	276	355	47				47
Barber Apprentice	83	71	12				12
Cosmetologist	542	751	116				116
Cosmetologist Apprentice	19	29	8				8
Electrologist	0	1	0				0
Electrologist Apprentice	0	0	0				0
Manicurist	399	719	103				103
Esthetician	132	139	25				25
Unlicensed Est.	315	364	60				60
Unlicensed Individual	267	299	54				54
<b>Total</b>	<b>5,295</b>	<b>6,374</b>	<b>928</b>				<b>928</b>

\*Data for July through August 2023.

INSPECTIONS							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept*	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Establishments w/ violations	4,479	4,417	277				277
Establishments w/o violations	2,119	784	83				83
<b>Total</b>	<b>6,598</b>	<b>5,517</b>	<b>360</b>				<b>360</b>

\*Inspections Conducted through July 2023.

**Inspections**

**OUT OF BUSINESS and CLOSED ON CALL**

	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FYTD
Out of Business	109	134											243
Closed on Call	151	248											399
<b>TOTAL ISSUED</b>	<b>260</b>	<b>382</b>											<b>642</b>

**ESTABLISHMENT INSPECTIONS REPORTS ISSUED**

	Jul*	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FYTD
Establishments w/ violations	151												151
Establishments w/o violations	45												45
<b>TOTAL ISSUED</b>	<b>196</b>												<b>196</b>

\*Inspections Conducted through July 2023.

**Citations**

As of September 29, 2023, the Cite and Fine Unit is at a 33 day turn-around time frame from when an inspection is completed to when the citation is mailed out to the establishment or licensee. This is a 9 day increase from last quarter which was a 24 day turn-around time frame.

**CITATIONS ISSUED**

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FYTD
Establishment	232	271											503
Individual	134	177											311
Unlicensed Establishments	27	33											60
Unlicensed Individuals	25	29											54
<b>TOTAL ISSUED</b>	<b>418</b>	<b>510</b>											<b>928</b>

**Request For Payment Notices**

BBC is actively sending request for payment notices to establishments and individuals that have outstanding fines. First request for payment notices is sent about 30 days after the fine was due. Second request for payment notices are sent approximately 30 days after the first notice. Third request for payment notices are sent via certified mail approximately 30 days after the second notice. Citations for licensees that have not paid their fine in full after the third request for payment notice are sent to the Franchise Tax Board. Citations for unlicensed individuals that have not paid their fine in full after the third request for payment notice, are referred to a collection agency.

<b>REQUEST FOR PAYMENT NOTICES SENT - FY 2023-2024</b>					
	Jul-Sept *	Oct-Dec	Jan-Mar	Apr-Jun	Total
<b>Request for Payment Notice 1</b>	266				266
<b>Request for Payment Notice 2</b>	174				174
<b>Request for Payment Notice 3</b>	159				159
<b>Referred to Collections</b>	11				11
<b>Referred to Franchise Tax Board</b>	0				0
<b>Grand Total</b>	<b>610</b>				<b>610</b>

\*Data for July through August 2023.

**Payment Plans**

Per B&P 7408.1 and CCR 974.3 the Board may enter a payment plan for citations with administrative fines that exceed five hundred dollars (\$500.00). Of the 268 payment plans created, 153 citations have been paid in full giving a success rate of 57%. It is taking an average of 274 days for the fines to be paid in full. The average fine amount is \$1,193.00 for payment plans.

<b>PAYMENT PLANS - FY 2023-2024</b>					
	<b>July – September*</b>	<b>October - December</b>	<b>January- March</b>	<b>April- June</b>	<b>Total</b>
<b>Payment Plan Requested</b>	35				35
<b>Payment Plan Developed</b>	25				25
<b>Paid in Full</b>	5				5
<b>Payment Plan Cancelled</b>	3				3
<b>Total Pending Payment Plans</b>	150				150
<b>Initial Fine Amount Total:</b>	\$186,125.00				\$186,125.00
<b>Total Amount Paid</b>	\$97,222.17				\$97,222.17
<b>Current Total Balance:</b>	\$88,902.83				\$88,902.83

\*Data for July through August 2023.



## MEMORANDUM

<b>DATE</b>	October 16, 2023
<b>TO</b>	Members, Board of Barbering and Cosmetology
<b>FROM</b>	Kristy Underwood, Executive Officer
<b>SUBJECT</b>	<b>Agenda Item 7d – Outreach Update</b>

### Recent Outreach Events

- August 6, 2023, the Board attended the NorCal Barber Expo in Pleasanton.
- August 20<sup>th</sup> and 21<sup>st</sup>, the Board attended the Face & Body and Nailpro Nail Show in Sacramento. Board staff spoke to over 300 people.
- September 6, 2023 the Board attended Fort Irwin community: Active-Duty soldiers, spouses, high schoolers, DA civilians, contractors, and retirees
- September 7, 2023, Kristy Underwood and Carrie Harris spoke at Camp Kilpatrick.
- October 5, 2023, Shelby Edmiston and Natalie Mitchell attended “You Betta Work” career in Sacramento.
- October 16, 2023, Shelby Edmiston attended the Pathways Career Fair in Roseville.

### New Publications

- The Board created five new flyers for Barbers, Cosmetologists, Manicurists, Estheticians, Electrologists, and Hairstylists. The flyers share what’s within each scope and which services they can and cannot provide.
- The Board published Issue No. 4 of *The BarberCosmo Update*.



**Listserv Emails**

- August 8, 2023, the Board sent an email to Licensees, Interested Parties, and Schools regarding the August 28, 2023 Questions and Answers Townhall.
- August 14, 2023, the Board sent an email to Licensees, Interested Parties, and Schools regarding the August 28, 2023 Questions and Answers Townhall.
- August 25, 2023, the Board sent an email to Licensees, Interested Parties, and Schools regarding the August 28, 2023 Questions and Answers Townhall.
- September 8, 2023, the Board emailed Cosmetologist and Estheticians regarding Fibroblast.
- October 2, 2023, the Board emailed Licensees and Interested Parties regarding the newest *The BarberCosmo Update*.
- October 4, 2023, the Board emailed Schools in regards to the Barber Examination.
- The Board will continue to send (at minimum) a monthly email blast to licensees and interested parties.

**Upcoming Outreach Events**

- October 22, 2023, the Board will attend the Jazz Z attended the Jazz Z Beauty & Barber Trade Show in Anaheim.
- October 25, 2023, the Board was invited to attend Encina High School College and Career Fair in Sacramento.
- November 6, 2023, Kristy Underwood will speak at the National Aesthetic Spa Network.
- December 4, 2023, the Board will attend Beauty Cast Network Tradeshow in Los Angeles.
- December 6, 2023, the Board will give a presentation on the licensing requirements for beauty salon establishments in Southern California.




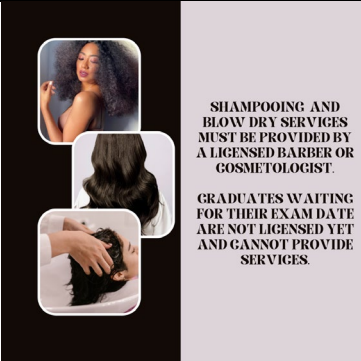
**Townhalls**




- The Board held a Q & A Townhall on August 28, 2023. Over 425 people attended.





**Social Media Outreach**

In mid July 2023, the Board worked with DCA to share posts with consumers and licensees on ways to protect themselves and others in extreme heat.

Below are the social media posts the Board has made thus far.

Image	Caption	Date
 <p>10<sup>th</sup> Annual #SafeSandalSeason</p> <p><b>Safe Sandal Season TIP</b></p> <p><b>REFUSE</b> nail products that contain <b>METHYL METHACRYLATE</b>. It'll have a strong odor.</p> <p>Barber Cosmetology Board of California</p>	<p>Here's a quick tip before heading to the nail salon this #SafeSandalSeason, refuse nail products that contain methyl methacrylate. It'll have a strong odor. #SafeSandalSeason #10thAnnualSafeSandalSeason</p>	<p>July 10, 2023</p>
 <p>CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS</p> <p><b>MILITARY CONSUMER PROTECTION MONTH</b></p> <p>ACCESS CONSUMER RESOURCES</p> <p>CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS</p>	<p>For Military Consumer Protection Month, learn how to be an empowered and informed consumer. Access DCA resources in English and 6 other languages:  <a href="https://www.dca.ca.gov/consumers/">https://www.dca.ca.gov/consumers/</a>                  #MilitaryConsumerProtectionMonth                  #ConsumerProtection</p>	<p>July 11, 2023</p>
 <p><b>KEEP PHONES AND BACKUP BATTERIES FULLY CHARGED!</b></p> <p>LISTOSCALIFORNIA.ORG</p>	<p>Make a plan &amp; have an alternative power supply. Before or during wildfires, power may be shut off. Plan for batteries and other alternative power sources to meet your needs when the power goes out, such as a portable charger or power bank. Visit <a href="http://listoscalifornia.org">listoscalifornia.org</a> for more tips on how to prepare for wildfires, power outages and more. #ListosCalifornia</p>	<p>July 12, 2023</p>
 <p><b>SHAMPOOING AND BLOW DRY SERVICES MUST BE PROVIDED BY A LICENSED BARBER OR COSMETOLOGIST.</b></p> <p><b>GRADUATES WAITING FOR THEIR EXAM DATE ARE NOT LICENSED YET AND CANNOT PROVIDE SERVICES.</b></p>	<p>Shampooing AND BLOW DRY services must be provided by a licensed barber or cosmetologist. Graduates waiting for their exam date are not licensed yet and cannot provide services</p>	<p>July 13, 2023</p>


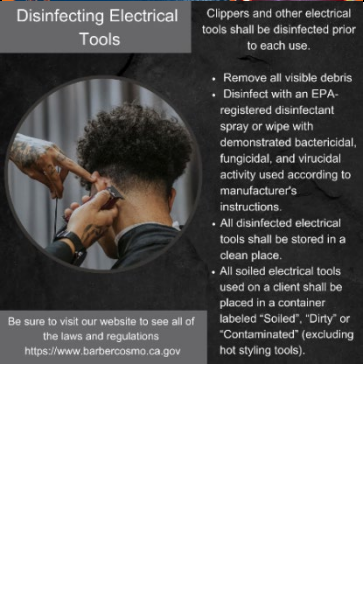
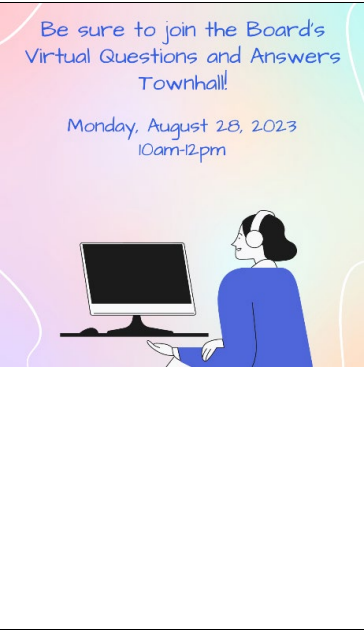
	<p>It is hot out there, California! When temperatures are very high, make sure to:                  Stay hydrated.                  Wear loose, lightweight, light-colored clothing and a hat outdoors.                  Wear sunscreen and avoid too much sun.                  For more information on extreme heat, visit <a href="http://listoscalifornia.org">listoscalifornia.org</a></p>	<p>July 13, 2023</p>
	<p>As temperatures rise to triple digits this weekend, the California Governor's Office of Emergency Services encourages residents to visit cooling centers during this extreme heat period.                  Learn More: <a href="https://wp.me/pd8T7h-8jG">https://wp.me/pd8T7h-8jG</a></p>	<p>July 14, 2023</p>
	<p>We have several job announcements posted on the Board's website - Including Inspectors, Program Technician II, and Staff Service Manager I positions!                  For more information visit:  <a href="https://www.barbercosmo.ca.gov/about_us/jobs.shtml">https://www.barbercosmo.ca.gov/about_us/jobs.shtml</a></p>	<p>July 14, 2023</p>
	<p>Help your friends and neighbors!                  Both extreme heat and smoke from wildfires can make the air unhealthy to breathe. Poor air quality is bad for everyone, but it can be very harmful for infants and children, people over 65, and people with health conditions.                  Let's take care of each other this summer. Visit <a href="http://listoscalifornia.org">listoscalifornia.org</a> for more disaster preparedness tips and resources.                  #ListosCalifornia</p>	<p>July 14, 2023</p>
	<p>Don't let #ExtremeHeat turn into an Emergency. Limit your sun exposure and be sure to #StaySafe stay hydrated. For information on heat safety and cooling centers, visit:  <a href="https://news.caloes.ca.gov/staying-safe-during-extreme-heat/">https://news.caloes.ca.gov/staying-safe-during-extreme-heat/</a></p>	<p>July 17, 2023</p>
	<p>This Military Consumer Protection Month, the California Department of Consumer Affairs reminds military members of available consumer protection resources, including DCA's online search tool.                  Visit: <a href="https://search.dca.ca.gov/">https://search.dca.ca.gov/</a>                  #MilitaryConsumerProtectionMonth                  #ConsumerProtection</p>	<p>July 17, 2023</p>

 <p>10<sup>th</sup> Annual #SafeSandalSeason</p> <p><b>Have a happy and SAFE SANDAL SEASON.</b></p> <p>If you see something, <b>SAY SOMETHING!</b> File a complaint: <a href="http://www.barbercosmo.ca.gov">www.barbercosmo.ca.gov</a> or call (800) 952-5210.</p>	<p>Have a happy and #SafeSandalSeason. If you see something, SAY SOMETHING! File a complaint or report any concerns by visiting <a href="http://www.barbercosmo.ca.gov">www.barbercosmo.ca.gov</a> or calling (800) 952-5210. #SafeSandalSeason #10thAnnualSafeSandalSeason</p>	<p>July 18, 2023</p>
	<p>As hot weather persists, the California Governor's Office of Emergency Services reminds residents to visit cooling centers. Find cooling centers: <a href="https://wp.me/pd8T7h-8jG">https://wp.me/pd8T7h-8jG</a></p>	<p>July 18, 2023</p>
 <p><b>STAY COOL</b></p> <p>FIND A COOLING CENTER NEAR YOU</p> <p>LISTOSCALIFORNIA.ORG</p>	<p>Getting too hot can make people sick. Cooling centers are available across California this holiday weekend. Check in on a friend, neighbor, co-worker and have someone do the same for you. For more information, visit <a href="https://www.caloes.ca.gov/.../active.../cooling-centers/">https://www.caloes.ca.gov/.../active.../cooling-centers/</a> #ListosCalifornia</p>	<p>July 18, 2023</p>
 <p>ESTABLISHMENTS AND SCHOOLS MUST HAVE THE FOLLOWING MINIMUM EQUIPMENT AND SUPPLIES:</p> <ul style="list-style-type: none"> <li>✓ A COVERED WASTE CONTAINER TO DISPOSE HAIR (IF HAIR SERVICES ARE PERFORMED).</li> <li>✓ CLOSED CONTAINERS TO HOLD SOILED TOWELS, SHEETS, GOWNS, ETC.</li> <li>✓ CLOSED, CLEAN CABINETS, DRAWERS, OR CONTAINERS TO HOLD ALL CLEAN NON-ELECTRICAL TOOLS, TOWELS, SHEETS, GOWNS, ETC.</li> <li>✓ CONTAINERS FOR DISINFECTANT SOLUTION (LABELED AS "DISINFECTANT SOLUTION") WITH MIXED DISINFECTANT SOLUTION AVAILABLE AT ALL TIMES. THE CONTAINERS MUST CONTAIN ENOUGH DISINFECTANT SOLUTION FOR TOOLS TO BE COMPLETELY IMMERSUED.</li> <li>✓ A MANUFACTURER-LABELED CONTAINER FOR THE DISINFECTANT USED.</li> </ul> <p>FOR MORE INFORMATION ON MINIMUM EQUIPMENT AND SUPPLIES, VISIT <a href="https://barbercosmo.ca.gov">HTTPS://BARBERCOSMO.CA.GOV</a></p>	<p>Establishments and schools <b>MUST</b> have the following minimum equipment and supplies: A covered waste container to dispose hair (if hair services are performed). Closed containers to hold <b>SOILED</b> towels, sheets, gowns, etc. Closed, clean cabinets, drawers, or containers to hold all clean non-electrical tools, towels, sheets, gowns, etc. Containers for Disinfectant Solution (labeled as "Disinfectant solution") with mixed disinfectant solution available at all times. the containers must contain enough disinfectant solution for tools to be completely immersed. A manufacturer-labeled container for the disinfectant used. For more information on minimum equipment and supplies, visit <a href="https://barbercosmo.ca.gov">https://barbercosmo.ca.gov</a></p>	<p>July 18, 2023</p>



	<p>Several parts of California are experiencing high temperatures this week. The Veterinary Medical Board is reminding you to protect your pets. Remember to check the sidewalk before taking your dog on a walk. #petsafety #recordtemperatures</p>	<p>July 19, 2023</p>
	<p>Electrolysis is the permanent removal of unwanted facial and/or body hair by use of a tiny needle or probe that conducts an electric current. Electrologists must work in licensed establishments and their valid electrologist license must be posted at all times.</p>	<p>July 19, 2023</p>
	<p>Be sure to protect you and your loved ones from extreme heat! Visit <a href="https://www.listoscalifornia.org/summer/">https://www.listoscalifornia.org/summer/</a> for ways to stay cool, practice water safety, prepare for power outages, and how to be ready for wildfires!</p>	<p>July 20, 2023</p>
	<p>During times of extreme weather this summer, power may be shut off. If there's an anticipated power outage, prepare by charging portable devices like your cell phone. For more tips on how to prepare for power outages and wildfires, visit <a href="https://www.listoscalifornia.org">listoscalifornia.org</a> #ListosCalifornia</p>	<p>July 21, 2023</p>
	<p>Getting too hot can make people sick. Cooling centers are available across California this holiday weekend. Check in on a friend, neighbor, co-worker and have someone do the same for you. For more information, visit <a href="https://www.caloes.ca.gov/.../active.../cooling-centers/">https://www.caloes.ca.gov/.../active.../cooling-centers/</a> #ListosCalifornia</p>	<p>July 21, 2023</p>

 <p>10<sup>th</sup> Annual #SafeSandalSeason</p> <p><b>Protect yourself at the nail salon.</b></p> <p>#SafeSandalSeason</p>	<p>Protect yourself at the nail salon! Follow @CA_BBC this #SafeSandalSeason to learn important safety tips to ensure you have a safe pedicure experience. #SafeSandalSeason #10thAnnualSafeSandalSeason</p>	<p>July 25, 2023</p>
 <p>CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS</p> <p><b>MILITARY CONSUMER PROTECTION MONTH</b></p> <p>FILE A COMPLAINT</p> <p>ALL OFFICE MEMBERSHIP OF CONSUMER AFFAIRS</p>	<p>If you have a complaint or concern with a licensee of a board or bureau under the California Department of Consumer Affairs, file a complaint so we can look into it! Visit <a href="http://www.dca.ca.gov">www.dca.ca.gov</a> or call (800) 952-5210. #MilitaryConsumerProtectionWeek</p>	<p>July 25, 2023</p>
 <p>The Board does not have jurisdiction over the sale of equipment and products in the barbering and beauty industry. Licensees are responsible to know what they can use within their scope of practice. Invasive procedures (such as dermarolling) CANNOT be performed by licensees.</p> <p>Barber Cosmo</p>	<p>The Board does not have jurisdiction over the sale of equipment and products in the barbering and beauty industry. Licensees are responsible to know what they can use within their scope of practice. Invasive procedures (such as dermarolling) CANNOT be performed by licensees.</p>	<p>July 25, 2023</p>
 <p><b>SUBSCRIBE TO THE BOARD'S EMAIL LIST TO RECEIVE UPDATES</b></p>	<p>Make sure to subscribe to the Board's email list to receive updates!</p> <p>Click here to subscribe - <a href="https://www.barbercosmo.ca.gov/webapplications/apps/subscribe/index.shtml">https://www.barbercosmo.ca.gov/webapplications/apps/subscribe/index.shtml</a></p>	<p>July 26, 2023</p>
 <p><b>Barber</b></p> <p>Barbers are trained in shaving and trimming beards, giving facial and scalp massages or treatments, singeing, shampooing, arranging, dressing, curling, waving, chemical waving, hair relaxing, dyeing the hair, applying hair tonics, hairstyling, and in applying cosmetic preparations to the scalp, face, or neck. To read more about the full scope, visit our website!</p> <p><a href="https://barbercosmo.ca.gov">https://barbercosmo.ca.gov</a></p>	<p>Barbers are trained in shaving and trimming beards, giving facial and scalp massages or treatments, singeing, shampooing, arranging, dressing, curling, waving, chemical waving, hair relaxing, dyeing the hair, applying hair tonics, hairstyling, and in applying cosmetic preparations to the scalp, face, or neck. To read more about the full scope, visit our website - <a href="https://www.barbercosmo.ca.gov/">https://www.barbercosmo.ca.gov/</a></p>	<p>July 27, 2023</p>




	<p>Are you interested in becoming a Cosmetologist? Check out the "What to Know Before Choosing A Cosmetologist School" brochure on our website! <a href="https://www.barbercosmo.ca.gov/">https://www.barbercosmo.ca.gov/</a></p>	<p>August 1, 2023</p>
<p>Before use upon a client, properly clean tools. Remove all visible debris, clean with soap or detergent and water, dry tools, totally immerse instruments in an EPA-registered disinfectant solution, and use gloves or tongs to remove the tools from the disinfectant.</p> <p>Always keep disinfectant solution covered and change disinfectant when it is cloudy, contains debris, or according to the manufacturer's instructions</p> <p>Be sure to visit our website to see all of the laws and regulations <a href="https://www.barbercosmo.ca.gov">https://www.barbercosmo.ca.gov</a></p>	<p>Before use upon a client, properly clean tools. Remove all visible debris, clean with soap or detergent and water, dry tools, totally immerse instruments in an EPA-registered disinfectant solution, and use gloves or tongs to remove the tools from the disinfectant.</p> <p>Always keep disinfectant solution covered and change disinfectant when it is cloudy, contains debris, or according to the manufacturer's instructions.</p> <p>Be sure to visit our website to see all of the laws and regulations <a href="https://www.barbercosmo.ca.gov">https://www.barbercosmo.ca.gov</a></p>	<p>August 2, 2023</p>
	<p>Keep your pets safe by checking the pavement before going on walk. The Veterinary Medical Board recommends placing your hand on the pavement for 7 seconds. If it's too hot for you, it's too hot for your pet.</p>	<p>August 3, 2023</p>
	<p>Have a question for the Board? Check out the Frequently Asked Questions webpage! The FAQs page contains information on BreEZe, education/training requirements, exams, license and renewals, transferring a license, inspections, citations, schools, and much more! Visit <a href="https://barbercosmo.ca.gov/forms/publications/faqs.shtml">https://barbercosmo.ca.gov/forms/publications/faqs.shtml</a></p>	<p>August 4, 2023</p>

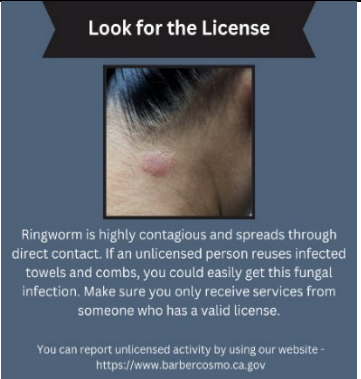

	<p>It is hot out there, California! When temperatures are very high, make sure to:          Stay hydrated.          Wear loose, lightweight, light-colored clothing and a hat outdoors.          Wear sunscreen and avoid too much sun.          For more information on extreme heat, visit <a href="http://listoscalifornia.org">listoscalifornia.org</a></p>	<p>August 7, 2023</p>
	<p>Clippers and other electrical tools shall be disinfected prior to each use.          - Remove all visible debris.          - Disinfect with an EPA-registered disinfectant spray or wipe with demonstrated bactericidal, fungicidal, and virucidal activity used according to manufacturer's instructions.          - All disinfected electrical tools shall be stored in a clean place.          - All soiled electrical tools used on a client shall be placed in a container labeled "Soiled", "Dirty" or "Contaminated" (excluding hot styling tools).          Be sure to visit our website to see all of the laws and regulations  <a href="https://www.barbercosmo.ca.gov">https://www.barbercosmo.ca.gov</a></p>	<p>August 7, 2023</p>
	<p>Make sure you join The California Board of Barbering and Cosmetology for our Questions and Answers Townhall on Monday, August 28, 2023 from 10:00 am to 12:00 pm.          To access the Webex event, attendees will need to click the following link and enter their first name, last name, email, and the event password listed below: <a href="https://dca-meetings.webex.com/dca-meetings/j.php...">https://dca-meetings.webex.com/dca-meetings/j.php...</a>          If joining using the link above          Webinar number: 2486 555 6293          Webinar password: BBC08282023          If joining by phone          +1-415-655-0001 US Toll          Access code: 248 655 56293          Passcode: 22208282</p>	<p>August 8, 2023</p>


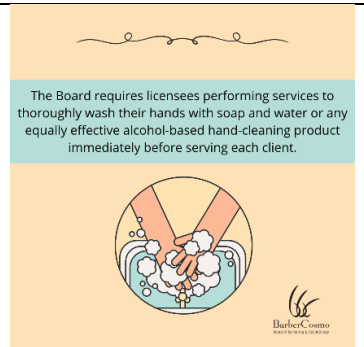








	<p>To protect your skin and prevent irritation, always use gloves or tongs when removing tools from disinfectant solution.</p>	<p>August 9, 2023</p>
	<p>Getting too hot can make people sick. Cooling centers are available across California this holiday weekend. Check in on a friend, neighbor, co-worker and have someone do the same for you.</p> <p>For more information, visit <a href="https://www.caloes.ca.gov/.../active.../cooling-centers/">https://www.caloes.ca.gov/.../active.../cooling-centers/</a></p> <p>#ListosCalifornia</p>	<p>August 11, 2023</p>
	<p>Did you know if you add or remove a partner, you must apply for an establishment license - this must have the most current and valid information!</p>	<p>August 11, 2023</p>
	<p>Getting too hot can make people sick. Talk to your neighbors and co-workers and keep an eye on each other during extreme heat.</p> <p>Heat stroke: red, hot, dry skin; very high body temperature; dizziness; nausea; confusion, strange behavior or unconsciousness; rapid pulse or throbbing headache. Call 9-1-1.</p> <p>Heat exhaustion: heavy sweating, cramps, headache, nausea or vomiting, tiredness, weakness, dizziness and fainting. Move to a cool place and get medical help if vomiting</p> <p>More information at <a href="http://listoscalifornia.org">listoscalifornia.org</a></p> <p>#ListosCalifornia</p>	<p>August 14, 2023</p>
	<p>As temperatures rise to triple digits, the California Governor's Office of Emergency Services encourages residents to visit cooling centers during this extreme heat period. Learn More: <a href="https://wp.me/pd8T7h-8jG">https://wp.me/pd8T7h-8jG</a></p>	<p>August 15, 2023</p>



	<p>Remember to keep your floors, furniture, and fixtures clean! This will help to avoid spreading bacteria and slipping in un-swept hair.</p>	<p>August 15, 2023</p>
	<p>A licensed cosmetologist can provide hair services, hair removal, skin care, apply makeup, and nail services. To read more about the full scope, visit our website!</p> <p><a href="https://www.barbercosmo.ca.gov">https://www.barbercosmo.ca.gov</a></p>	<p>August 16, 2023</p>
	<p>As temperatures rise to triple digits, California Governor's Office of Emergency Services encourages residents to visit cooling centers during this extreme heat period. Learn more: <a href="https://news.caloes.ca.gov/2023-cooling-centers/">https://news.caloes.ca.gov/2023-cooling-centers/</a></p>	<p>August 17, 2023</p>
	<p>Have a suggestion on how the Board can improve its social media presence? What type of content would you like to see more of? Comment below to share your ideas!</p>	<p>August 17, 2023</p>
	<p>The Board will be at the Face &amp; Body and Nailpro Show in Sacramento at the Safe Credit Union Convention Center August 20-21, 2023! We will be at booth #733 - Make sure to stop by and say hi!</p>	<p>August 18, 2023</p>

	<p>As California braces for wind, flooding and other impacts of Hurricane Hilary, California Governor's Office of Emergency Services urges the public to take steps to prepare their loved ones including the family pets too. Learn more: <a href="https://wp.me/pd8T7h-8uu">https://wp.me/pd8T7h-8uu</a></p>	<p>August 20, 2023</p>
	<p>As Hurricane Hilary threatens Southern California, Cal OES would like to remind you how to stay safe during the event of extreme winds in your area. Learn more: <a href="https://wp.me/pd8T7h-8sX">https://wp.me/pd8T7h-8sX</a></p>	<p>August 20, 2023</p>
	<p>Come visit the Board today and tomorrow at the Face &amp; Body and Nailpro Show in Sacramento at the Safe Credit Union Convention Center! You can find us at booth# 733</p>	<p>August 20, 2023</p>
	<p>Working to ensure the safety of Californians during multiple overlapping emergencies, including storm impacts and an earthquake, the California Governor's Office of Emergency Services is actively coordinating with local, state and federal partners to provide communities with any resources needed.</p>	<p>August 21, 2023</p>
	<p>Come see the Board today at the Face &amp; Body and Nail Pro show at the Safe Credit Union Convention Center. You can find us at booth #733</p>	<p>August 21, 2023</p>

	<p><b>Look for the License!</b></p> <p>Ringworm is highly contagious and spreads through direct contact. If an unlicensed person reuses infected towels and combs, you could easily get this fungal infection. Make sure you only receive services from someone who has a valid license.</p> <p>You can report unlicensed activity by using our website - <a href="https://www.barbercosmo.ca.gov">https://www.barbercosmo.ca.gov</a></p>	<p>August 22, 2023</p>
	<p><b>Can you spot the violation?</b></p> <p>Containers for disinfectant solution must be labeled "Disinfectant Solution."</p>	<p>August 23, 2023</p>
	<p><b>Make sure you join The California Board of Barbering and Cosmetology for our Questions and Answers Townhall on Monday, August 28, 2023 from 10:00 am to 12:00 pm.</b></p> <p>To access the Webex event, attendees will need to click the following link and enter their first name, last name, email, and the event password listed below: <a href="https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m46e03e623f9683a6bfef6d241378c1f5">https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m46e03e623f9683a6bfef6d241378c1f5</a></p> <p>If joining using the link above          Webinar number: 2486 555 6293          Webinar password: BBC08282023</p> <p>If joining by phone          +1-415-655-0001 US Toll          Access code: 248 655 56293          Passcode: 22208282</p>	<p>August 25, 2023</p>

 <p>Be sure to join the Board's Virtual Questions and Answers Townhall!</p> <p>Monday, August 28, 2023 10am-12pm</p>	<p>Make sure you join The California Board of Barbering and Cosmetology for our Questions and Answers Townhall on Monday, August 28, 2023 from 10:00 am to 12:00 pm.</p> <p>To access the Webex event, attendees will need to click the following link and enter their first name, last name, email, and the event password listed below: <a href="https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m46e03e623f9683a6bfef6d241378c1f5">https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m46e03e623f9683a6bfef6d241378c1f5</a></p> <p>If joining using the link above Webinar number: 2486 555 6293 Webinar password: BBC08282023</p> <p>If joining by phone +1-415-655-0001 US Toll Access code: 248 655 56293 Passcode: 22208282</p>	<p>August 28, 2023</p>
 <p>The Board requires licensees performing services to thoroughly wash their hands with soap and water or any equally effective alcohol-based hand-cleaning product immediately before serving each client.</p>	<p>The Board requires licensees performing services to thoroughly wash their hands with soap and water or any equally effective alcohol-based hand-cleaning product immediately before serving each client.</p>	<p>August 28, 2023</p>
 <p>During extreme heat, pay close attention to the well-being of your</p>	<p>As temperatures rise across California, keep these tips in mind to keep kids safe this summer - Check the weather before going outside - Wear lightweight clothing and sunscreen as directed - Keep kids hydrated by having access to water To learn more visit <a href="https://wp.me/pd8T7h-8xw">https://wp.me/pd8T7h-8xw</a></p>	<p>August 29, 2023</p>
 <p><b>"Do I need a barber license to own a barbershop?"</b></p> <p>No. If you want to be the owner and hire barbers to provide barbering services, you do not need a barber license.</p>	<p>You do not need to have a barber's license to open a barbershop, however you will need to apply for and obtain an establishment license!</p> <p>For the application and more information, visit our website! <a href="https://www.barbercosmo.ca.gov">https://www.barbercosmo.ca.gov</a></p>	<p>August 30, 2023</p>

	<p>The Board of Barbering and Cosmetology will be closed on September 4, 2023, in observance of Labor Day.</p>	<p>September 1, 2023</p>
	<p>Did you know?! In California, in order to provide shaving services or to trim beards, you need a barber license! Check out the approved schools list - <a href="https://www.barbercosmo.ca.gov/schools/approved_schools.shtml">https://www.barbercosmo.ca.gov/schools/approved_schools.shtml</a></p>	<p>September 6, 2023</p>
	<p>The Board will be holding the following Committee Meetings on Monday, September 11, 2023 starting at 9:00am:</p> <ul style="list-style-type: none"> <li>Licensing and Examination Committee</li> <li>Education and Outreach Committee</li> <li>Enforcement and Inspection Committee</li> <li>Legislative and Budget Committee</li> <li>Diversity, Equity, And Inclusion (DEI) Committee</li> </ul> <p>Location:                  Department of Consumer Affairs                  1625 North Market Boulevard                  HQ1 Hearing Room 102                  Sacramento, CA 95834</p> <p>For agendas, meeting materials, and meeting links, visit the Board's website at: <a href="https://www.barbercosmo.ca.gov/about_us/meetings/index.shtml">https://www.barbercosmo.ca.gov/about_us/meetings/index.shtml</a>                  You can also watch the Live Webcasts at: <a href="https://thedcapage.blog/webcasts/">https://thedcapage.blog/webcasts/</a></p>	<p>September 8, 2023</p>
<p><b>Look for the License!</b></p> <p>Unlicensed activity can lead to consumer harm! If a barber does not properly disinfect their tools, you could get an infection like tinea capitis (also known as ringworm). This is a fungal infection that affects the hair follicles and could lead to hair loss.</p> 	<p>Unlicensed activity can lead to consumer harm!</p> <p>If a barber does not properly disinfect their tools, you could get an infection like tinea capitis (also known as ringworm).</p> <p>This is a fungal infection that affects the hair follicles and could lead to hair loss.</p>	<p>September 12, 2023</p>

	<p>Don't forget to celebrate World Barber Day on September 16th!</p>	<p>September 15, 2023</p>
 <p>California Department of Consumer Affairs September 15 at 3:33 PM</p> <p>Join the California Department of Consumer Affairs from September 15 to October 15 as we observe #LatinoHeritageMonth. As we commemorate the contributions of the Hispanic and Latino community throughout the years, we will continue to celebrate and promote diversity within our department, boards, and bureaus. Read the Governor's proclamation here: <a href="https://www.gov.ca.gov/2023/09/14/governor-newsom-proclaims-latino-heritage-month-2023/">https://www.gov.ca.gov/2023/09/14/governor-newsom-proclaims-latino-heritage-month-2023/</a></p>	<p>The Board will be joining California Department of Consumer Affairs (DCA) in celebrating #LatinoHeritageMonth from September 15th to October 15th!</p>	<p>September 18, 2023</p>
	<p>You can use the Board's website to check someone's establishment license. Use the 'License Lookup' link on the homepage! <a href="https://www.barbercosmo.ca.gov">https://www.barbercosmo.ca.gov</a></p>	<p>October 3, 2023</p>



## MEMORANDUM

<b>DATE</b>	October 16, 2023
<b>TO</b>	Members, Board of Barbering and Cosmetology
<b>FROM</b>	Kristy Underwood, Executive Officer
<b>SUBJECT</b>	<b>Agenda Item 7e – Legislative Update</b>

### Legislative Calendar and Deadlines

- September 14 – Interim Recess begins upon adjournment
- October 14 – Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 14 and in the Governor’s possession on or after Sept. 14
- January 3, 2024 – Legislature reconvenes

### 2023 Board-Sponsored Bills

- **AB 1328 (Gipson) Cosmetology Licensure Compact**

**Location:** Senate

**Status:** 06/06/2023 From committee chair, with author’s amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Committee on Business, Professions and Economic Development. This bill is now a 2-year bill.

**Summary:** This bill would enact the Cosmetology Licensure Compact to facilitate the interstate practice and regulation of cosmetology. The compact would require the board to grant a multistate license to practice cosmetology to an applicant meeting specified requirements.

**Board Position:** Support

- **SB 384 (Bradford) Barbering and Cosmetology**

**Location:** Assembly

**Status:** This bill unanimously passed out of both houses with bi-partisan support. On 09/15/2023 Enrolled and presented to the Governor.

**Summary:** This bill would require the Board to establish by regulation a board-offered remedial education program, in lieu of a first offense of a health and safety violation.

**Board Position:** Support



**2023 Bills with Support Position**

- **SB 247 (Wilk) Alcoholic beverages: licensing exemptions: barbering and cosmetology services**

**Location:** Assembly

**Status:** This bill unanimously passed out of both houses with bi-partisan support. On 09/22/2023 approved by the Governor, and Chaptered by Secretary of State, Chapter 212, Statutes of 2023.

**Summary:** This bill would clarify for Alcohol Beverage Control (ABC) that a license or permit is not required for serving wine-6oz or beer-12oz as part of any service provided by an establishment licensed by the Board of Barbering and Cosmetology (not just a beauty salon or barber shop).

**Board Position:** Support

- **SB 451 (Nguyen) Worker classification: employees and independent contractors: licensed manicurists**

**Location:** Senate

**Status:** 04/20/2023 April 26 set for first hearing canceled at the request of author. This is now a 2-year bill.

**Summary:** This bill would extend the inoperative date of the Borello exemptions to January 1, 2030.

**Board Position:** Support

- **SB 544 (Laird) Bagley-Keene Open Meeting Act: teleconferencing**

**Location:** Assembly

**Status:** On 09/22/2023 approved by the Governor, and Chaptered by Secretary of State, Chapter 216, Statutes of 2023.

**Summary:** This bill, until January 1, 2026, revises certain teleconference requirements under the Bagley-Keene Open Meeting Act, which requires all meetings of a state body to be open and available to the public. This bill preserves existing options for conducting meetings via teleconference while adding a new teleconference condition that requires a majority of members at one physical, publicly-accessible location, while allowing other members to participate from non-public sites if certain conditions are met. The bill would require a state body to provide a means by which the public may remotely hear audio, remotely observe, or attend the meeting on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for all teleconference locations.

**Board Position:** Support

- **SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees**

**Location:** Assembly

**Status:** 07/11/2023 From committee: Do pass and re-refer to Committee on Appropriations. Held in Appropriations, this is now a 2-year bill.

**Summary:** This bill would require that the hairstylist application and examination fee be the actual cost to the board for developing, purchasing, grading, and administering the examination, and limit a hairstylist's initial license fee to \$50.

**Board Position:** Support

### **Bill Text**

The text version of Assembly Bill 1328 is available online at [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240AB1328&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1328&firstNav=tracking)

The text version of Senate Bill 247 is available online at [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB247&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB247&firstNav=tracking)

The text version of Senate Bill 384 is available online at [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB384&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB384&firstNav=tracking)

The text version of Senate Bill 451 is available online at [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB451&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB451&firstNav=tracking)

The text version of Senate Bill 544 is available online at [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB544&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB544&firstNav=tracking)

The text version of Senate Bill 817 is available online at [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB817&firstNav=tracking](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB817&firstNav=tracking)



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR  
DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY  
P.O. Box 944226, Sacramento, CA 94244-2260  
Phone : (800) 952-5210 Email: [barbercosmo@dca.ca.gov](mailto:barbercosmo@dca.ca.gov)  
Website: [www.barbercosmo.ca.gov](http://www.barbercosmo.ca.gov)



## **Meeting Dates and Locations for 2024**

February 12, 2024 – Board Meeting/Reinstatement  
Tentative Location: Sacramento

May 13, 2024 – Board Meeting/Reinstatement  
Tentative Location: Southern California

August 12, 2024 – Board Meeting/Reinstatement  
Tentative Location: Sacramento

November 4, 2024 – Board Meeting/Reinstatement  
Tentative Location: San Diego



## REPORT TO THE BOARD ON THE HAIRSTYLING SCOPE OF PRACTICE

### Scope of Practice

Business and Professions Code section 7316 states,

*The practice of hairstyling is one or both of the following:*

*(1) Styling of all textures of hair by standard methods that are current at the time of the hairstyling.*

*(2) Arranging, blow drying, cleansing, curling, cutting, dressing, extending, shampooing, waving, or nonchemically straightening the hair of any person using both electrical and nonelectrical devices.*

### Services

Some of the services Hairstylists may provide includes:

- Blow-drying hair
- Haircutting
- Hairstyling (applying hair products, hairclips, updos)
- Shampooing hair
- Waving/curling hair with a curling iron/hot styling tool
- Straightening hair with a hot styling tool

Some of the services Hairstylists are not licensed to provide includes:

- Bleaching hair
- Chemically relaxing hair
- Dyeing hair
- Permanent waving hair

The practice of hairstyling does not include any of the following:

- The mere sale, fitting, or styling of wigs or hairpieces.
- Natural hair braiding. Natural hair braiding is a service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking, or braiding by hand or mechanical device, provided that the service does not include haircutting or the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair.
- Threading. Threading is a technique that results in removing hair by twisting thread around unwanted hair and pulling it from the skin and the incidental trimming of eyebrow hair.

## **Requirements for Licensure**

- 10<sup>th</sup> Grade Education
- Completion of a 600 Hour Program
- Passing the Written Examination

## **Current Licensees**

The Board has issued two hairstylist licenses. The Board has 23 pending hairstylist applications – 5 are exam applications and 18 are reciprocity applications.

## **Types of Harm**

Because hairstylists are not permitted to use chemicals such as bleach, perming solution, or dye, the risk of consumer harm is much lower. Still, even with hairstyling services there is a risk of:

- Contracting a communicable disease
- Cuts/lacerations on the scalp/skin
- Thermal burns on the scalp/skin

## **Future of the Profession**

It is uncertain how much the hairstyling industry will grow. The Board anticipates most applications submitted will be from individuals licensed in another state as a hairstylist who wish to apply for reciprocity (licensure by endorsement).

Currently, there are 25 schools approved to offer the hairstyling program. Because the barbering and cosmetology programs only require 400 additional hours and allow for additional services, it appears that schools and students are more interested in those programs.



## MEMORANDUM

<b>DATE</b>	October 16, 2023
<b>TO</b>	Members, Board of Barbering and Cosmetology
<b>FROM</b>	Kristy Underwood, Executive Officer
<b>SUBJECT</b>	<b>Agenda Item 10 – Discussion and Possible Action Regarding Interpreters for the Licensing Exam</b>

Interpreters have asked the Board of Barbering and Cosmetology (Board to allow interpreters to act as interpreters more than once every two years. Many exam candidates move to California from other states and countries, so besides speaking a language that the exam is not offered in, they often have limited resources to find an interpreter that is familiar with barbering and cosmetology terminology. Allowing interpreters to interpret more often would decrease barriers to entry and allow individuals requiring an interpreter to apply for a re-examination sooner.

Board staff found that the California Contractors State License Board allows interpreters to act as an interpreter again after one year.

California Code of Regulations section 931(g) currently states, “A person shall be allowed to act as an Interpreter or Interpreter/Model only once in two (2) years in any examination.”

PSI adheres to the Board’s requirements for interpreted exams. PSI does not have their own requirements in the DCA contract; however, PSI requires interpreter exams to be administered in a private room and a PSI test center administrator to be present for the duration of the exam. PSI agrees that one year would be acceptable.

**Action Needed:** The Board shall discuss the requirements to act as an interpreter.



## MEMORANDUM

DATE: October 16, 2023

TO: Members, Board of Barbering and Cosmetology

FROM: Steve Weeks, Committee Chairperson

SUBJECT: September 11, 2023, Licensing and Examination Committee Meeting Update

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The Licensing and Examination Committee (Committee) discussed renters within licensed establishments. Board staff stated that the Board can do more to help licensees inside licensed establishments as they are operating as their own business. Booth renters and independent contractors operate as their own business as well; however, they sometimes use the establishment's equipment, such as shampoo bowls. The Board asked the legislature for booth renting certificates previously but were unsuccessful with getting this added in statute. Many other states have a booth renter certification or license and have established common areas. Board staff believe suites that have a separate room with a separate business and their own tools/equipment should not fall under an establishment's license as it is not fair to hold businesses responsible if an inspector cannot inspect an individual's room that is solely their business. The Committee agreed with this sentiment. Board staff will research this matter further and bring proposed regulatory language back to the Committee.

The Committee also discussed establishment ownership types. Many years ago, the Board determined that an LLC can be an establishment ownership type. It has come to the Board's attention recently that a professional service cannot be offered by an LLC unless it states such in statute. Board staff recommend asking the legislature to get this clarified in language. Board staff will bring drafted legislative language to the Committee before bringing it to the full Board.

Lastly, the Committee discussed implementing a 90-day retention schedule for out-of-state license certifications. The Board currently receives certifications for individuals who do not submit a reciprocity application with the Board until several months later, during which time there could have been action against their license. The Committee asked why 90 days was chosen. Board staff stated the Board could go down to 60 days but wouldn't recommend shorter than that in case there is a backlog in processing. Board staff hopes this change will reduce the number of fraudulent certifications received. Board staff will bring proposed regulatory language back to the Committee.



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## MEMORANDUM

DATE: October 16, 2023

TO: Members, Board of Barbering and Cosmetology

FROM: Tonya Fairley, Committee Chairperson

SUBJECT: September 11, 2023, Education and Outreach Committee Meeting Update

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Board staff provided copies of the new scope of practice publications to the Education and Outreach Committee (Committee) and stated that they have been well received at outreach events.

Board staff asked for recommendations regarding outreach opportunities and priorities. The Committee directed staff to continue to promote "Dos and Don'ts" and suggested making Instagram Reels about what to look for in establishments. Board staff suggested working with the Department of Consumer Affairs on a themed holiday outreach plan.





## MEMORANDUM

DATE           October 16, 2023

TO:             Members, Board of Barbering and Cosmetology

FROM:          Danielle Munoz, Committee Chairperson

SUBJECT:       September 11, 2023, Enforcement and Inspections Committee Meeting Update

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The Enforcement and Inspections Committee (Committee) discussed the criteria for citing practice of medicine. Board staff explained that there has been an increase in body sculpting. The Board has a statute that licensees do not have authority to practice medicine or surgery. The Board held a meeting with the Department of Consumer Affairs and other boards to discuss this issue. Body slimming popularity is growing and being targeted to licensees from manufacturers. The Board is trying to educate licensees on first offenses then follow up if they continue to provide this service.

Board staff brought to the Committee's attention that there is a new school enforcement webpage at [https://barbercosmo.ca.gov/schools/school\\_enforcement.shtml](https://barbercosmo.ca.gov/schools/school_enforcement.shtml). The Board took formal action against a school in April and is working on a few other school cases. The Board wants schools to see that the Board takes action against schools that are not following the school requirements.



## MEMORANDUM

DATE October 16, 2023

TO: Members, Board of Barbering and Cosmetology

FROM: Reese Isbell, Committee Chairperson

SUBJECT: September 11, 2023, Legislative and Budget Committee Meeting Update

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The Legislative and Budget Committee received an update on current pending legislation.

- **AB 1328 (Gipson) Cosmetology Licensure Compact:** a 2-year bill.
- **SB 247 (Wilk) Alcoholic beverages: licensing exemptions: barbering and cosmetology services:** anticipate it moving to the Governor's Office.
- **SB 384 (Bradford) Barbering and Cosmetology:** enrolled and to the Governor's Office.
- **SB 451 (Nguyen) Worker classification: employees and independent contractors: licensed manicurists:** a 2-year bill.
- **SB 544 (Laird) Bagley-Keene Open Meeting Act: teleconferencing:** recently amended to allow some members to teleconference into a meeting as long as the majority is in person at a public location. It will go to concurrence then to the Governor's Office.
- **SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees:** a 2-year bill.

The Committee also received an update regarding the fee study. The elimination of the practical exam and exam sites meant the Board had to conduct a fee study. Board staff have been timing how long processes take. Board Staff are not prepared to make a formal recommendation yet but hope to have one by the next Committee meeting after meeting with the Department of Consumer Affairs' budget office.



## MEMORANDUM

DATE: October 16, 2023

TO: Members, Board of Barbering and Cosmetology

FROM: Jacob Rostovsky, Committee Chairperson

SUBJECT: September 11, 2023, Diversity, Equity, and Inclusion Committee Meeting Update

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The Diversity, Equity, and Inclusion Committee (Committee) convened for the first time. Jacob Rostovsky was elected Committee Chairperson.

The Committee discussed how to collect data on underrepresented communities. Staff presented a draft of survey questions that licensees may voluntarily answer, and the Committee provided feedback.

The Committee also discussed ways the Board can promote diversity, equity, and inclusion in the barbering and beauty industry. Staff provided drafted content for a handout. The Committee were concerned that a handout may appear as if the Board is requiring licensees to follow the suggestions listed on the handout. Staff suggested a section on the Board's website and social media campaign instead of the handout. Staff will reevaluate and provide additional information at the next Committee meeting.



## MEMORANDUM

DATE October 16, 2023

TO: Members, Board of Barbering and Cosmetology

FROM: Kristy Underwood, Executive Officer

SUBJECT: Discussion and Possible Action Regarding Rulemaking Proposals:

- a. Update Regarding Rulemaking to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, and 962, and Repeal sections 928, 934, 950.1, 950.2, 950.3, 950.4, and 998 (SB 803 Clean-Up)
- b. Update Regarding Rulemaking to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)
- c. Update Regarding Rulemaking to Amend Title 16, CCR section 950.10 (Transfer of Credit)
- d. Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
- e. Update Regarding Rulemaking Proposal to Amend Title 16, CCR section 972 (Disciplinary Guidelines)

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**The following regulation package has been approved by agency, staff are preparing initial filing package to be published on October 13, 2023, end of comment period is Tuesday, November 28, 2023:**

- Title 16, CCR sections 904, 909, 931, 932, 937, and 962, and Repeal sections 928, 934, 950.1, 950.2, 950.3, 950.4, and 998 (SB 803 Clean-Up)

**The following regulation packages are being updated by staff:**

- Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)
- Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
- Title 16, CCR Section 972 (Disciplinary Guidelines)

**The following regulation package was approved by Office of Administrative Law and sent to Secretary of State. Regulation became effective October 1, 2023:**

- Title 16, CCR section 950.10 (Transfer of Credit)

*Agenda Items*  
*No. 17-19*  
*No Attachments*