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

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

MEETING OF:

STATE BOARD OF BARBER EXAMINERS

TIME: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

Monday, January 22, 2024

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State Board of Barber Examiners
January 22, 2024

BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
Dominic A. Muniz, Chairman, Professional Member
Amber Derr, Vice Chair, Professional Member - Absent
Patrick Gavin, Secretary, Consumer Protection Member
Michael McAndrew, Professional Member
Charles Seright, Professional Member

BUREAU PERSONNEL:

Shana M. Walter, Esquire, Senior Board Counsel
Sean C. Barrett, Esquire, Board Counsel
James Ritchie Espino Ostman, Esquire, Board Prosecution Liaison
J. Karl Geschwindt, Esquire, Senior Board Prosecutor
Julius Zeitlinger, Esquire, Board Prosecutor
Adrienne McClendon, Esquire, Board Prosecutor
Sharona Evans, Board Administrator
Carlton Smith, Deputy Chief Counsel, Prosecution Division
Marc Farrell, Esquire, Regulatory Counsel, Office of Chief Counsel, Department of State
Deena Parmelee, Legal Office Administrator 1, Department of State

ALSO PRESENT:

Melony Gaudlip, Adjudicated Youth Education Programs Consultant Southwestern Region Pennsylvania Academic, Career and Technical Training Alliance, Department of Human Services, Bureau of Juvenile Justice Services
Derek Richmond

1 ***

2 State Board of Barber Examiners

3 January 22, 2024

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:00 a.m. the Board entered into Executive Session
7 with Sean C. Barrett, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations on
9 a number of matters currently pending before the
10 Board and to receive advice of counsel. The Board
11 returned to open session at 10:30 a.m.]

12 ***

13 The regularly scheduled meeting of the State Board
14 of Barber Examiners was held on Monday, January 22,
15 2024. Dominic A. Muniz, Chairman, Professional
16 Member, called the meeting to order at 10:30 a.m.

17 ***

18 Pledge of Allegiance

19 [The Pledge of Allegiance was recited.]

20 ***

21 [Sean C. Barrett, Esquire, Board Counsel, noted the
22 meeting was being recorded, and those who continued
23 to participate were giving their consent to be
24 recorded.

25 Mr. Barrett also noted the Board entered into

1 Executive Session for the purpose of conducting
2 quasi-judicial deliberations on a number of matters
3 currently pending before the Board and to receive
4 advice of Counsel.]

5 ***

6 Introduction of Board Members

7 [Sharona Evans, provided an introduction of Board
8 members.]

9 ***

10 Introduction of Attendees

11 [Sharona Evans, also provided an introduction of
12 attendees.]

13 ***

14 [Dominic A. Muniz, Chairman, Professional Member,
15 noted the Board did not have a quorum present.]

16 ***

17 Approval of Minutes - No Approval - Lack of Quorum

18 ***

19 Report of Board Prosecution - No Report - Lack of
20 Quorum

21 ***

22 Appointment - Annual Prosecution Division

23 Presentation

24 [Carlton Smith, Esquire, Deputy Chief Counsel,
25 Prosecution Division, informed Board members that he

1 assumed his role in March 2023 when Carolyn
2 DeLaurentis was promoted to the Executive Deputy
3 Chief Counsel position and provided a brief summary
4 of his professional background.

5 Mr. Smith reported a decrease in the number of
6 Bureau of Professional and Occupational Affairs
7 (BPOA) complaints for all boards and commissions from
8 roughly 22,000 in 2022 to a little over 19,000 in
9 2023.

10 Mr. Smith presented the 2023 Prosecution
11 Division's Annual Report for the State Board of
12 Barber Examiners. He reported a little over 9,000
13 active licensees with 338 opened cases in 2023. He
14 also reported 245 open cases in 2023 and 369 cases
15 closed. He mentioned their gold standard is to be
16 able to dispose of a case within a year across all
17 boards.

18 Mr. Smith referred to closed cases and reported
19 fines to be the most common type of discipline for
20 the Board. He also reported probation to be a common
21 discipline for the Board at 25 cases for 2023,
22 followed by suspensions at 19. He noted the largest
23 category where no discipline was imposed was
24 prosecution not warranted.

25 Mr. Smith addressed warning letters under Z18,

1 which are another common form of disposing of a case.
2 He noted warning letters are the most appropriate
3 course of action when cases are fairly de minimis,
4 where the person does not have an extensive
5 discipline history or there may be a lack of
6 evidence.]

7 ***

8 Department of Human Services - Medicaid Unwinding
9 Process

10 [Arion R. Claggett, Acting Commissioner, Bureau of
11 Professional and Occupational Affairs, noted the
12 Department of Human Services Meeting would be tabled
13 until the March 2024 meeting.]

14 ***

15 Report of Board Counsel - No Report

16 [Sean C. Barrett, Esquire, Board Counsel, noted not
17 having any report other than the items on the agenda.
18 The Board could not take any action on those matters
19 at this meeting without a quorum being present.]

20 ***

21 Report of Board Chair

22 [Dominic A. Muniz, Chairman, Professional Member,
23 announced that the National Association of Barber
24 Boards of America's (NABBA) Midyear Conference is
25 being held February 18-20, 2024, but could not vote

1 at this meeting to send Board members due to a lack
2 of quorum.

3 Acting Commissioner Claggett noted the Board
4 could schedule a special session for a vote to send
5 individuals to NABBA's Midyear Conference.]

6 ***

7 Report of Acting Commissioner - No Report

8 ***

9 Report of Board Administrator - No Report

10 ***

11 Public Comment

12 [Melony Gaudlip, Adjudicated Youth Education
13 Programs, Consultant for Southwestern Region
14 Pennsylvania Academic, Career and Technical Training
15 Alliance (PACTT), Department of Human Services,
16 Bureau of Juvenile Justice Services, informed Board
17 members that she represents adjudicated youth across
18 the Commonwealth. She noted there are thousands of
19 youths in the facilities who overwhelmingly want to
20 be barbers.

21 Ms. Gaudlip reported that most of the
22 adjudicated youth are males and addressed barriers.
23 She stated that the 1,250 square feet and the 200
24 square feet for the theory room for a school of
25 barbering is a major barrier in many of the

1 facilities. She also reported that the 10-chair
2 requirement is also another barrier.

3 Ms. Gaudlip mentioned that not everyone in the
4 facilities would be appropriate for the barbering
5 program, but many would be able to participate. She
6 appreciated the great job the boards did during
7 COVID, especially allowing virtual instruction.

8 Ms. Gaudlip mentioned that it would be helpful if
9 the youth could get out of the facilities, and they
10 could combine school hours and apprenticeship hours.
11 She stated that many youths would not be able to
12 afford to continue at a barbering school but did not
13 want to create a situation where they make kids have
14 enough skills to operate out of their homes rather
15 than out of a licensed barber shop.

16 Ms. Gaudlip noted Pennsylvania was having a huge
17 problem across the board with not having enough
18 workers and believed their organization could fill
19 some of that need through those youth. She noted
20 their organization has facilities across the entire
21 state and have youth with more serious charges on
22 them. She mentioned that it was easier for them to
23 pivot if some accommodations were made, but other
24 facilities are private and space is limited.

25 Chair Muniz suggested Ms. Gaudlip request a

1 variance if they do not have enough square footage to
2 meet the requirements. He noted the virtual platform
3 was still active, where 50% of the curriculum could
4 be done virtually.

5 Chair Muniz addressed school hours and
6 apprenticeship hours, noting whatever school hours
7 they may have to do when exiting the program after
8 hours received from a licensed school and licensed
9 teacher could be done through an apprenticeship, but
10 the school needs to make sure those hours are
11 submitted to the state. He further explained that
12 apprenticeships must be under a licensed barber shop,
13 licensed barber manager, and barber teacher. He
14 suggested Ms. Gaudlip submit the request to the Board
15 for review, including how many students would be
16 attending.

17 Mr. Barrett informed Ms. Gaudlip that the Board
18 reviews every application in totality when there are
19 deficiencies. He noted there has to be compliance
20 with the regulations, but the Board has made
21 variances in certain situations that were similar.
22 He explained that it may not work for every
23 institution if the space is just too deficient.

24 Chair Muniz informed Ms. Gaudlip that she could
25 reach out to him for assistance.]

1 ***

2 Adjournment

3 CHAIRMAN MUNIZ:

4 The meeting is adjourned.

5 ***

6 [There being no further business, the State Board of
7 Barber Examiners Meeting adjourned at 10:53 a.m.]

8 ***

9

10 CERTIFICATE

11

12 I hereby certify that the foregoing summary
13 minutes of the State Board of Barber Examiners
14 meeting, was reduced to writing by me or under my
15 supervision, and that the minutes accurately
16 summarize the substance of the State Board of Barber
17 Examiners meeting.

18

19

20



21

Derek Richmond,

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

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STATE BOARD OF BARBER EXAMINERS
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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:30	Pledge of Allegiance
10:31	Introduction of Board Members/Attendees
10:34	Appointment - Carlton Smith, Deputy Chief Counsel, Annual Prosecution Division Report
10:42	Report of Board Chairman
10:44	Public Comment
10:53	Adjournment