

## MINUTES

The Tennessee State Board of Barber Examiners held a meeting May 21, 2012 9:00a.m. Nashville, Tennessee.

The following members were present: J.B. Loring President, Joe Jones Vice President, Larry High, Donald Collins and Ralph Payne.

Other present: Beverly Waller, Executive Director, Laura Betty, Staff Attorney, Hosam Williams, Paralegal and Hazel Buttrey, Licensing Technician.

J.B. Loring, President called the meeting to order.

J.B. Loring, President ask for roll call.

J.B. Loring, President asked all to join in prayer.

J.B. Loring, President called for "Pledge of Allegiance".

J.B. Loring, President called for change or approval of April 16, 2012 board meeting minutes.

MOTION made by Larry High and seconded by Ralph Payne approval of the April 16, 2012 minutes. Motion carried unanimously.

### APPEAR BEFORE THE BOARD-

Paul Anaebue requested to appear before the board today concerning his application for a new barber school "Excel Cuts & Style College" to be located 3532 West Hamilton Ave Nashville, Tennessee. This application was previously submitted at the April 2011 board meeting. The Board voted to have the Board Member and Board Inspector for the area inspect the school for the required inspection for a new barber school. Mr. Ralph Payne Board Member and Barbara Hendrix Board Inspector visited the school for the required inspection. The facility was visited for inspection by the Board Member twice and there were issues with operation a barber school in Tennessee to be in compliance with the laws and rules during the visits. Mr. Anaebue visited the board office and advised me he was cancelling the application for several reasons. Copies of inspection sheets issued at that time are attached. After cancelling the application for a new school he was going to be placing an application for a barber shop for that location. Mr. Anaebue has now decided to resubmit the application for a new barber school. Mr. Anaebue stated to the Board he was a little confused on some of the requirements and regulations when he previously

submitted the application but now he has everything straight and is ready to open the school.

MOTION made by Ralph Payne and seconded by Larry High to have the Board Member and Board Inspector for the area inspect the Barber School for approval to open. Mr. Larry High will be the Board Member to conduct inspection of the school for approval to open.

#### APPLICATIONS FOR EXAMINATION-

Applications for examination from the following applicants who have felony convictions Tamir Greenlee, Andreco Booner, Jermyne Myers, Anthony Fennell, Jason Jackson and Orman Bunch all the required information has been submitted, required information from the applicant and letter for examination recommendation from the barber school attended.

MOTION made by Donald Collins and seconded by Joe Jones to approve applications for examinations with signed agreed orders with a 2 year probation period. Motion carried unanimously.

#### APPLICATION FOR RECIPROCITY-

Application for reciprocity of master barber license from Louisiana for Louis Germain. Certification from the Louisiana Board of Barber Examiners verifies he enrolled in a barber apprentice program 09/21/03 and completed 4000 hours 06/01/06. Applicant passed a written and practical examination. Certification of licensing from the Louisiana State Barber Board gives a breakdown in the barber curriculum.

MOTION made by Ralph Payne and seconded by Donald Collins applicant will be required to take the state board master barber examination. Motion carried unanimously.

#### MISCELLANEOUS-

Request from Mr. Elliott Killebrew Jr. for Board Members to waive the requirement for passage of the reinstatement examination for a license that is expired for 3 years or longer

MOTION made by Ralph Payne and seconded by Larry High applicant is required to pass the state board master barber reinstatement examination for reinstatement of license. Motion carried unanimously.

The owner of Roosters Men Grooming Salon submitted a question to the Cosmetology Board Members: "WE HAVE SEVERAL CUSTOMERS THAT WANT THEIR HEAD COMPLETELY BUZZED THEN SHAVED WITH A SAFETY RAZOR. IS A COSMETOLOGIST ALLOWED TO PERFORM THE SERVICE"  
The Cosmetology Board Members after some discussion requested that I present this question to Barber Board Members.

MOTION made by Larry High and seconded by Ralph Payne the process of buzzing a head and then shaving the head with a safety razor falls under the scope of practice for master barber in Tennessee. Motion carried unanimously.

Notification from Gateway Barber College located in Murfreesboro the barber school has closed.

The board office received letters from a barber instructor and barber school owner expressing concerns of pedicuring under the scope of practice of barbering.

Consent Orders-

MOTION made by Ralph Payne and seconded by Joe Jones approval of consent orders. Motion carried unanimously.

Legal Report-

MOTION made by Ralph Payne and seconded by Donald Collins approval of the legal report. Motion carried unanimously.

## OTHER BUSINESS-

Attorney Laura Betty opened up the discussion concerning pedicures covered under the scope of practice for barbers. Mr. Ralph Payne advised he had discussed with some instructors and school owners the possibility of offering a 600 hour nail technician curriculum in barber schools. The curriculum would be taken from the Miladay nail technician text book. This would result in a license that would be "master barber/ nail technician". It would be the choice of each barber school to offer this curriculum. Attorney Laura Betty stated adding another license would require a statutory change. Mr. Donald Collins expressed his concerns that while we might be discussing adding another program to the barber schools he has major concerns that we have students graduating from barber school that cannot cut hair. These students are going into the kitchen and cutting hair. He stated we needed to focus on how to make the barber schools in Tennessee better. Mr. Larry High stated that we need to hold the barber schools more accountable for educating students because we have so many barber students that cannot pass the barber examination. Board Chairman J. B Loring suggested to board members to leave the decision as is and conduct more study on the issue of adding an addition license for nail technician. Mr. Joe Jones expressed his concerns as to the price of tuition now in barber schools and if adding additional hours the tuition will increase. Ralph Payne stated this would be an option program and that is what the barber schools are looking for is to go in another direction which this would be a start. Ralph Payne stated he would be glad with assistance from his wife who is a cosmetology instructor to write the curriculum for the nail program. Chairman J. B. Loring requested Ralph Payne to present an outline of the proposed curriculum for the 600 hour nail technician program at the next meeting for review by board members. The chairman J.B. Loring stated that the previous motion would stand. All Board Members were in agreement it was unanimous. Attorney Laura Betty requested clarification for inspectors who inspect shops if a citation should be issued if a barber was performing a pedicure in a barber school or barber shop. Board Members advised if a barber is performing the services of pedicure a citation should be issued.

Attorney Laura Betty introduced the new attorney for the Board Rachel Powers to Board Members. Board Members thanked attorney Laura Betty for her time and dedication working wit the board.

Adjourn-

MOTION made by Donald Collins and seconded by Larry High to adjourn. Motion carried unanimously.

BOARD OF BARBER EXAMINERS  
MAY 2012  
CONSENT ORDERS \$1000.00

Butlers Barber & Hair Salon  
15313 Lebanon Road  
Old Hickory, TN 37138

Violation issued December 20, 2011  
Pd \$500.00 on 05-07-12

Fade Doc  
5308 Mt. View Road  
Suite G  
Antioch, TN 37013

Violation issued February 2, 2011  
Pd \$500.00 05-08-12



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**TO: Tennessee State Board of Barber Examiners**  
**FROM: Laura Betty, Chief Counsel for Regulatory Boards**  
**DATE: May 21, 2012**  
**SUBJECT: May Case Report**

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- 1. 201200865-1**  
First License Obtained: 07/26/1968  
License Expiration: 06/30/2012

A consumer complaint filed on March 30, 2012 alleges that an unidentified student was practicing on clients in the Respondent shop without having a master barber license. The owner of the Respondent shop denied the allegations, stating that he has not employed anyone in his shop who does not possess a valid license.

**Recommendation: Close and request the area inspector to visit the shop.**

- 2. 201200924-1**  
First License Obtained: 5/17/2012  
License Expiration: 03/31/2014

A March 16, 2012 Notice of Violation reports that a master barber license was posted in a licensed cosmetology shop. According to the area inspector, the location does not have a barber shop license. According to the board licensing records, a barber shop application to license the shop was submitted on March 16, 2012 (the same date as the Notice of Violation) and shop license has been issued. No services were being provided at inspection time and no additional Notices of Violation have been issued.

**Recommendation: Close with a letter of warning.**

- 3. 201102932-1 (RE-PRESENT)**  
First License Obtained: 02/25/1994  
License Expiration: 09/18/20122

This matter was first presented to the Board in February 2012 as follows: *A June 2, 2011 Notice of Violation alleges that a master barber was present and providing services to clients in a licensed barber school.*

***Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$500.00 civil penalty.***

A consent order was sent to Respondent school and in April, the board office received a response from an attorney on behalf of Respondent school, which included a statement from two persons associated with Respondent school. The response states: (1) The master barber in question had a “pocket-size” license in his wallet, but Respondent school did not have a copy of the master barber’s license. (2) The master barber was on a full scholarship as a “Student Instructor Trainee” and part of the physical requirement of his Instructor Trainee Program Curriculum included hair cutting and clinical floor management. (3) Respondent school paid no money to the master barber.

**Recommendation: Board to discuss.**

**BOARD DECISION: Board concurs with previous recommendation.**