

STATE BOARD OF
BARBER EXAMINERS
NEWSLETTER

FALL 2006



COMMONWEALTH
OF PENNSYLVANIA

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Role of the Commissioner on the Board

*by Basil Merenda, Acting Deputy Secretary for Regulatory Programs
and Director, Bureau of Professional and Occupational Affairs*

The Bureau of Professional and Occupational Affairs (BPOA) touches the lives of millions of Pennsylvanians each day. We protect the health, safety and welfare of the public from fraudulent and unethical practitioners by administering professional licensing to physicians and cosmetologists to accountants and funeral directors. In addition, the bureau provides administrative and legal support to 27 professional and occupational licensing boards and commissions.

As commissioner of the BPOA, I am responsible for administering the commonwealth's licensing boards, sitting as a voting member on disciplinary cases and policy matters for 25 of the 27 boards and signing all licenses issued by the BPOA.

My administrative duties include working with the deputy commissioner to make "the trains run on time." In BPOA's case, it means making sure license renewals, applications and inquiries are properly handled by our staff. It also involves making sure that where appropriate, reciprocal licenses requested from out-of-state individuals are properly reviewed. BPOA is also required to conduct reviews of education programs for some boards.

My duties as a voting member on 25 of the 27 licensing boards are the same duties and obligations that the professional and public members have as part of their service on our licensure boards. I act as a judge, along

with the other board members, on disciplinary hearings. I participate with the other board members in the drafting and enactment of regulations, rules and other policy initiatives. In addition, I have the responsibility of coordinating policy matters of all 27 boards for Governor Edward G. Rendell.

I truly believe the most important thing I can do for you is to provide you with professional service – and that is my goal.

When Governor Rendell appointed and nominated me BPOA commis-

sioner, he told me to make BPOA and the commonwealth's 27 licensing boards more accessible, responsive and accountable to the legislature, the licensees and the public we are sworn to protect. My pledge to you is that I, as commissioner, I am working to carry out Governor Rendell's charge with intelligence, vigor and effectiveness.

If I can be of any assistance, please do not hesitate to reach out and contact my office at any time.

*I truly believe
the most
important thing
I can do for you
is to provide you
with professional
service — and
that is my goal*

Unethical or Unlicensed Activity

If you believe the practice or service provided by a licensed professional to be unethical, below an acceptable standard or out of the scope of the profession, or if you are aware of unlicensed practice, please call the **Bureau of Professional and Occupational Affairs complaints hotline:**

In Pennsylvania: 1-800-822-2113

Out of State: 1-717-783-4849

A complaint form is available on the Department of State's Internet site: **www.dos.state.pa.us**

The Annual Conference of Barber Boards of America

Editor's note: The articles on pages 3 through 5 reflect perspectives on the Annual Conference of Barber Boards of America by three Barber Examiners board members.

Report by Vincent Iacono, Board Chair

The Annual Conference of Barber Boards of America held in Myrtle Beach, SC, was held in Sept. 2005. I bring this report to our board to give an overview of some of the topics and discussions during the conference.

Three members of our board attended: Bob Vavro, Carl Stillo and myself. During our time, we all participated in different focus groups, giving us the opportunity to understand the workings of the other state boards as well as the problems some states are experiencing, such as falsification of licenses. The consensus of opinion was almost unanimous in favor of ID picture cards.

Maintaining financially solvent barber boards is another looming problem. Ideas were bandied around from different delegates. The State of Florida, indebted to a six-figure amount, made a tremendous comeback and was able to send delegates to the conference this year after a long hiatus.

Much discussion took place about increasing membership in the NABBA; possibly allowing delegates who are no longer on state boards to continue participating in the conference if they so choose; more discussion about amending the bylaws, to take place over this next year with the new board.

Of course, the cost of health insurance for barbers seemed to be a major topic with no clear-cut solution.

Although a National Health Insurance Plan sparked interest, with state boards playing a role in developing a plan, much more information is needed before a plan can be brought forth.

Several other focus groups concentrated on contracts for booth rentals in barber shops.

During my report for Pennsylvania, I also read and presented an impressive proclamation to the delegates from the Office of the Governor of Pennsylvania, Edward G. Rendell, proclaiming the week of Sept. 18, 2005 as Barber Week in Pennsylvania, and another proclamation from the York County Commissioners proclaiming the same for York County. They were enthusiastically received.

Milady Publishing Company was again in attendance, and sponsored a very nice luncheon for all. They previewed their latest publication, "Standard Professional Barbering," and everyone received a copy.

The conference next year will be held in Denver, Colo., followed by Orlando, Fla., in 2007.

I thank you for the honor of being one of the representatives of this great Commonwealth of Pennsylvania.

Prostate Net

by Vincent Iacono

While at the national conference, board members attended a seminar by the Prostate Net. The Prostate Net wants to promote cancer awareness among men by going into the barbershops. There is a national initiative to promote awareness of disease risk, education and prostate concern screening. They provide free screenings.

If you would like to obtain a poster for your barber shop, visit www.prostatenet.org or call 1-888-4PROSNET (477-6763)

The Annual Conference of Barber Boards of America

Report by Robert Vavro

September 18, 2005

- Administrators Meeting
- Executive Board Meeting
- Registration
- New Member Orientation
- Reception

September 19, 2005

- Conference call to order
- Invocation
- Welcoming remarks and greeting from South Carolina
- Roll call of states. 23 states were represented with 60 delegates in attendance
- President's report by David Jones, who also introduced the past presidents and guests. The delegates then formed into focus groups discussing the important things that each state has regarding the barber laws and regulations. Then each state gave a report regarding their activities for the current year. Between the officers' reports and the state reports, we adjourned after a full day.

September 20, 2005

- Meeting called to order
- Guest speaker was a senator from South Carolina who explained how closely their legislature works with their barber board.
- Focus groups were once again formed and discussion of the out-of-state/country licenses was held.
- The delegates voted on selecting a conference site for 2007.
- Milady – Thomson, who supplies the theory barber book, made a visual presentation of their new theory book. Each delegate was given a copy of this book.
- There was a lengthy discussion on continuing education.

- Reports were given by the Constitution and By-Laws Committee and the Resolutions Committee.
- Allstate Insurance Company made a presentation of a benefit package that they can make available for the barbers.
- Louisiana Board of Barber Examiners brought a copy of a letter that they sent to Louisiana barber and shop owners in regard to disaster relief for Southeastern Louisiana barber licensees requesting barber tools for fellow barbers who have lost their shops, tools, homes and much more.
- Presentation was made to have barbers talk to their patrons about prostate cancer and urge them to have PSA tests.

September 21, 2005

- Meeting was called to order
- Focus groups were again formed. The group that I was in talked about barber schools in correctional institutions. Some states have one and some have none. Pennsylvania has the most with 16.
- Vincent Iacono, Pennsylvania Board Chair, gave his report. He also read the resolution from Governor Edward Rendell proclaiming Pennsylvania Barber Week beginning Sunday, September 18, 2005. Iacono also read the resolution from his home area declaring barber week.
- I presented a request to the delegates in regards to a barber stamp that we have been working on for many years. I requested that all the states present take some action such as writing to their senators and congressmen for their help in getting a United States Postal Service stamp in recognizing barbers. Please ask them to contact the Postmaster General.
- The delegates were given a copy of the barber pole survey, which we should distribute to our state board councils.
- The Election of Officers was held along with old business after which the meeting was adjourned.

The Annual Conference of Barber Boards of America

Report by Carl Stillo

The National Association of Barber Boards of America began on September 18, 2005.

The roll call of states began and 28 states were present at this meeting. The president reported on all business and introduced the past president and guest. Focus groups were picked and our group's states were from: Oklahoma, Idaho, Kentucky, Wisconsin, Minnesota, Illinois, South Carolina and Pennsylvania. The principle of speaking and apprentice training for barbering, and the talk was on the Barber Pole. We had an executive report by Charlie Kirkpatrick, president, and sitting of all the delegates to the meeting.

The next day a guest speaker talked about products that are being used in barber shops. Focus groups were called to meeting and the subject was the rental of barber chair in a shop, and what the shop owner should

charge for rental. The next speaker was Donald Baker on out-of-state licensing for barbers. The constitution of bylaws was read, as well as a report on resolutions. A speaker then followed representing MiLadys for Thomson publishing and spoke about book learning.

The following day, Baker was the guest speaker. He spoke about hairpieces and how to go into business selling them. The focus group topic that day was keeping pedophiles from getting a barber license. All members of the group were in favor of not allowing them to get a license. This issue is to be sent to all barber boards to discuss. There also followed discussion on the barber pole, as it is a barber shop trade mark not a beauty shop one. There was election of officers for the next year.

Barber Board Considers Regulatory Amendments

The State Board of Barber Examiners is considering amendments to the board's regulations relating to study in barber shops and schools of barbering. The board plans to publish these regulations as proposed in the fall of 2006. The amendments would:

- Require shop owners, or the shop owner's designee, to notify the board (on a form provided by the board) of each student to be trained in the shop before the student begins training.
- Make shop owners responsible for ensuring that the board is properly notified of each student to be trained in the shop.
- Delete the requirement that students' blood test results have to be kept on file at barber shops and barber schools so that the regulations are consistent with Section 5 of the Barbers' License Law, which deleted this requirement in 2002.
- Make shop owners responsible for ensuring that the manager-barber or barber-teacher training a student is properly keeping quarterly reports of the hours earned by the student.
- Require shop owners to submit to the board, on a form provided by the board, quarterly reports of the hours earned by each student trained in the shop.
- Require schools of barbering to submit to the board, on a form provided by the board, quarterly reports of the hours attended for each student.
- Allow a student to request a transfer of credits for hours or months of study between a barber shop and a barber school and between barber shops, regardless of whether the barber shop or barber school is in-state or out-of-state.

Recent Amendments to Barbers' License Law

Four amendments to the Barbers' License Law went into effect on Feb. 20, 2006. These amendments are summarized below:

- (1) **Section 3(d)** was amended to delete the provision requiring an application for a barber-teacher's license to be accompanied by a notarized statement from a licensed physician that the applicant was examined by the physician, a test of the applicant's blood was made and the results of that test and that the applicant is free from all contagious and infectious diseases. Consequently, an application for a barber-teacher's license will no longer require a notarized statement from a licensed physician.
- (2) **Section 6(a)** was amended to delete the outdated reference to the day of the week and month (second Mondays in March, June, September and December) when examinations will be held and replaced it with the requirement that examinations will be held at least four times a year.
- (3) **Section 12(b)** was amended to delete the requirement that class and instruction hours in barber schools have to be not less than seven nor more than eight hours per day.
- (4) **Section 12(a)(1)** was amended as follows:
 - Allows a shop owner to designate a manager-barber or other licensee to be in charge of the shop, thus negating the need to have a manager-barber on the premises at all times the shop is open to the public.
 - Requires the name of the shop owner and the manager-barber or the designated licensee to be posted in a conspicuous place in the barber shop.
 - Requires the shop owner, manager-barber or designated licensee to be readily available to board inspectors during regular business hours.

Q&A:

Amendments to Section 12(a)(1)

Q: Is the designated licensee required to be a barber licensee or can the designated licensee be a cosmetology licensee?

A: The designated licensee must be a barber licensee.

Q: Can a barber with a temporary permit be a designated licensee?

A: A barber with a temporary permit cannot be a designated licensee because temporary permit holders are practicing in the nature of a student or trainee, and are permitted to practice only under the supervision of a licensed manager-barber.

Q: Does the amendment affect the training of students in barber shops?

A: No, the amendment does not affect the requirement that either a manager-barber or a barber-teacher must supervise a student training in a barber shop.

Barber licensing law Regulations of the State Board of Barber Examiners

These booklets are available on the Department's Web site at
www.dos.state.pa.us

If you are unable to access them through the Web site, you may request them through the board office at 717-783-3402, by fax at 717-705-5540, or by e-mail at ra-barber@state.pa.us

or in writing to:

State Board of Barber Examiners, P.O. Box 2649, Harrisburg, PA 17105-2649

Please be sure to provide your name and address with your request.

Reminder...

Renew Your License Online

If you choose to renew via the Internet:
Go to the Department's Web site at
www.dos.state.pa.us

Click on **RENEW a Professional License**
(www.myLicense.state.pa.us).

Then simply follow the instructions
to renew your license online.

You are eligible to renew online if:

- You are currently in your license renewal period
- Your license is delinquent by no more than 30 days

First-time users will need the following information:

- Pennsylvania License Number
- Registration Code
- Current mailing address
- Credit Card information
- E-mail address

Complaints

Barber shop owners should be aware that barber shops must post a sign for dissatisfied consumers. According to Section 10 of the Barbers' License Law, Act 589 of 1931, "Each shop shall have displayed in a conspicuous place at the shop entrance a notice to consumers listing the phone number at which a consumer may report a complaint to the State Board of Barber Examiners."

Please be sure to have such a notice posted in a visible location by your main doorway. This notice may be computer generated, hand written or you may utilize the box below.

**Commonwealth of Pennsylvania
Department of State
Professional Compliance Office
PO Box 2649
Harrisburg, PA 17105-2649**

**Toll free Complaints Hotline
1-800-822-2113 (PA only)
717-783-4849 (outside PA)
or email
St-complaints@state.pa.us**



***Please contact this office
if you have a complaint
regarding a licensee
of the PA Department of State.***

FAQs: Questions frequently asked of the licensing barber board staff

Q: Can a barber work in a Cosmetology Shop?

A: YES.

According to Section 15-A.3.(a) of the barber law: A licensed barber and a licensed cosmetologist shall be permitted to work in the same shop if the requirements of this section are met. Any licensed shop which employs a licensed barber and a licensed cosmetologist shall not be required to erect or install any physical barriers which separate the barber and the cosmetologist. All licensed shops shall conform with the provisions of section 12(a) of this Act. [Act 589 of 1931, as amended]

Q: What is the difference between a renewal and a reactivation?

A: A license is eligible for renewal up to one month past the expiration date. Barber licenses in all classifications (Barber, Barber Manager, Barber Teacher, Barber Shop and Barber School) have an even-year expiration date. The most recent renewal cycle ended April 30, 2006, with online renewal access through May 31, 2006. After May 31, 2006, a license needs to be **reactivated** with a signed declaration as to whether or not the license was used during the lapsed or expired period. If a license has been used while lapsed, there is a five-dollar-per-month late fee in addition to the renewal fee.

Q. What is inactive status?

A. You may place your license on inactive status for a period of up to five years. You must notify the board in writing of your request to place your license on inactive status. If your license remains inactive (or expired) for more than five years and then you wish to reactivate, you must first re-take and pass the appropriate state board examination. The five-year period begins with the expiration date of your most recently issued license. This information is on your license. *EXAMPLE:* Expiration date is 01/31/2004 – the five (5) year period ends 01/31/2009.

PLEASE NOTE: The board will not contact you at the end of the five (5) year period.

When you place your license on inactive status, you will no longer receive any information regarding your license from the board. It will be your responsibility to contact the board office if you wish to reactivate your license. If you contact the board office before the end of the five (5) year period, you will be sent a form to reactivate your license. Provided that you have not practiced at any time during the inactive period, you will only be required to pay the current renewal fee. If you contact the board after the five-year period has ended, you will be required to re-take the practical exam before your license will be reinstated. You will be sent information on how to schedule the appropriate examination.

PLEASE NOTE: THESE ARE THE REQUIREMENTS IN EFFECT AT THE PRESENT TIME. SHOULD THE LAW OR REGULATIONS CHANGE DURING THE TIME YOUR LICENSE IS INACTIVE, YOU WILL NEED TO COMPLY WITH THOSE CHANGES IN ORDER TO REACTIVATE YOUR LICENSE.

Q: How do I close a shop?

A: Return the license with the following written across the license in ink or marker:

“CLOSED”
Effective date of closure
Signature of owner

The license will be microfilmed and destroyed. If the shop license is not available, a notarized statement providing the license number and the reason the license is unavailable must be submitted to the board. If there are extenuating circumstances related to a business closure, please also enclose a written statement.

Q. Who is the testing company?

A. The new exam administrator for the State Board of Barber Examiners will be PCS (Professional Credential Services) offering the national barber exam. This company began processing Pennsylvania applications on Feb. 1, 2006. The start date for exams was March 1, 2006. Contact information for the test administrator is www.pcsdq.com and 1-888-822-3272.

Please visit their Web site or contact PCS to request a Candidate Information Bulletin and application. Please send the application and fee (including request for temporary license) to:

Professional Credential Services
150 Fourth Ave North Suite 800 (courier)
PO Box 198689 (Post office)
Nashville, TN 37219-8689
Toll free phone: 888-822-3272
Fax: 615-846-0153
Email: pabarber@pcshq.com

Disciplinary Actions

The following is a chronological listing of formal disciplinary or corrective measures taken by the board from August 2005 through April 2006. Each entry includes the name of the respondent, the respondent's address with the board, as well as the licenses and registrations that were suspended or revoked; the sanction imposed; a brief description of the basis for the disciplinary or corrective measure; and the effective date.

Every effort has been made to ensure that the following information is correct. However, these actions and their effective dates should not be relied upon without verification from the board office. Official confirmation of the current status of a license or registration can be obtained by writing to the State Board of Barber Examiners, P.O. Box 2649, Harrisburg, PA 17105-2649.

It should be noted that the names of persons listed below may be similar to the names of persons who have not had disciplinary or corrective measures taken against them.

Rodney C. Atkins, license no. **BL-048766-E**, of Sharon Hill, Delaware County, was assessed a \$100 civil penalty for practicing after his barber license expired. (08-17-05)

Douglas A. Brown, license no. **BL-050903-L**, of Coatesville, Chester County, was suspended by the Chester County Court of Common Pleas on Aug. 23, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (09-15-05)

George A. Henderson, license no. **BM-011351-L**, of Philadelphia, was assessed a \$100 civil penalty. Henderson failed to renew his manager barber's license and continued to practice on an expired license from April 30, 2002 through Oct. 22, 2002. (10-17-05)

Terron Cooper, unlicensed, of Erie, Erie County, was assessed a \$250 civil penalty for practicing the profession of barber without a license. (10-20-05)

Jomo Beatty, d/b/a Jomo & Company, license no. **BO-103022-L**, of York, York County, was assessed a \$350 civil penalty for operating on an expired license; failing to meet minimum equipment requirements; and failing to maintain student records. (10-20-05)

Robert Barr, license no. **BM-011425-L**, of Philadelphia, Philadelphia County, was suspended by the Philadelphia County Court of Common Pleas on Oct. 17, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (11-01-05)

Timothy A. Brown, d/b/a Showtime Barbershop a/k/a The Brownstone, license nos. **BL050785L**, **BM011867L** and **BO106996**, of Harrisburg, Dauphin County, was reinstated after paying a previously imposed civil penalty. (11-18-05)

Jomo Beatty, d/b/a Jomo & Company, license no. **BO-103022-L**, of York, York County, was suspended for failure to pay a previously imposed \$350 civil penalty. (12-05-05)

Lester M. Hayes, license no. **BM-011213-L**, of Philadelphia, Philadelphia County, was assessed a \$500 civil penalty for opening a barber shop without first obtaining an inspection, operating an unlicensed barber shop, and practicing barbering in an unlicensed barber shop. (12-14-05)

Gerald S. Morrow, license no. **BM002445L**, of Philadelphia, Philadelphia County, was suspended for failure to fully pay a \$1,000 civil penalty. (12-19-05)

Tyrone Stukes, Sr., license no. **BL049017L**, of Philadelphia, Philadelphia County, was suspended by the Philadelphia County Court of Common Pleas on Dec. 21, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (01-04-06)

Ramon G. Gilmore, license no. **BL049415L**, of Philadelphia, Philadelphia County, was suspended by the Philadelphia County Court of Common Pleas on Dec. 29, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (01-09-06)

Monte B. Jackson, license no. **BL050800L**, of Pittsburgh, Allegheny County, was suspended by the Allegh-

eny County Court of Common Pleas on Nov. 10, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (01-09-06)

Derrick Wilkerson, license no. **BL049704L**, of Philadelphia, Philadelphia County, was suspended by the Philadelphia County Court of Common Pleas on Dec. 29, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (01-09-06)

Joseph R. Fareri, license no. **BL050168L**, of Philadelphia, Philadelphia County, was suspended by the Philadelphia County Court of Common Pleas on Dec. 29, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (01-10-06)

Anthony T. Davis, license no. **BL050409L**, of Aston, Chester County, was suspended by the Philadelphia County Court of Common Pleas on Dec. 29, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (01-11-06)

Jeffrey A. Thomas, Sr., license no. **BL049409L**, of Philadelphia, Philadelphia County, was suspended by the Philadelphia County Court of Common Pleas on Dec. 30, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (01-12-06)

Eric S. Carter, license no. **BL050732L**, of McKeesport, Allegheny County, was

suspended by the Allegheny County Court of Common Pleas on Dec. 15, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (02-13-06)

Herbert C. Phillips, license no. **BL048927L**, of Pittsburgh, Allegheny County, was suspended by the Allegheny County Court of Common Pleas on Dec. 15, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (02-13-06)

Donald Singleton, license no. **BL051932**, of McKeesport, Allegheny County, was suspended by the Allegheny County Court of Common Pleas on Dec. 15, 2005. The court issued the suspension, which was effective immediately, under section 4355 of the Domestic Relations Code. (02-13-06)

Linda Brown, d/b/a Wild Styles, license no. **BO-101390-L** of Philadelphia, Philadelphia County, was ordered to pay a \$750 civil penalty and had a public reprimand placed on her permanent board record. Brown's barber shop employed three unlicensed individuals, did not have the barber shop's license displayed in a conspicuous place in the barber shop, and disregarded minimum equipment requirements (02-27-06).

Patrick Winter, license nos. **BM-011864-L** and **BO-101262-L** of York, York County, was ordered to pay a \$550 civil penalty. Winter, as manager-barber, was not present to supervise the employees working in his barber shop, employed an unlicensed person, failed to meet the minimum equipment requirements, and performed work in

an unsanitary or filthy manner or place of business (02-27-06).

Thomas R. Kay, license no. **BL-050690-L** of Slippery Rock, Butler County, was ordered to pay a \$100 civil penalty. Kay continued to practice barbering on a lapsed license. (02-27-06)

Ryan Maus, license no. **BL-052263** of York, York County, was ordered to pay a \$350 civil penalty. Maus held only a temporary license to practice barbering and was not practicing under the supervision of the manager-barber of World A Cuts barbershop (02-27-06).

Richard Pone of Bristol, Bucks County, was ordered to pay a \$250 civil penalty. Pone practiced barbering without having first passed an examination to obtain a license (02-27-06).

The Joseph Segro, Jack Segro, Nancy Segro, & Alfred Segro Barber Shop, license no. **BO-048608-L** of Lancaster, Lancaster County, was ordered to pay a \$750 civil penalty. Segro failed to display, in a conspicuous place of his business, a license for his barber shop, violated the act regarding maintenance and sanitation, and violated the act regarding minimum equipment requirements (02-27-06).

Lester M. Hayes, license no. **BM-011213-L**, of Philadelphia, Philadelphia County, was suspended for failure to pay a \$500 civil penalty. (03-02-06)

Jomo Beatty, d/b/a Jomo & Company, license no. **BO-103022-L**, of York, York County, was reinstated retroactive to Dec. 5, 2005. (04-12-06)

Board Members and Staff

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James N. Papoutsis, Secretary

Public Member, Franklin County

Andrew Santacroce

Public Member, Montgomery County

Evan M. Semoff, Jr.

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