

## **MEETING SUMMARY**

### **NEW YORK STATE APPEARANCE ENHANCEMENT ADVISORY COMMITTEE September 13, 2021**

The meeting was held by the Department of State, Division of Licensing Services, via WebEx conferencing. A virtual meeting was held to comply with COVID-19 social distancing directives. Meeting locations in Albany (99 Washington Avenue, 5<sup>th</sup> Floor, Room 505) and New York City (123 William Street, 2<sup>nd</sup> Floor, Room 231) were also available to attendees.

#### **I. CALL TO ORDER, INTRODUCTIONS and OFFICIAL ATTENDANCE**

Amy Penzabene, Director of Licensing Services, called the meeting to order at 10:35 a.m. Roll call was performed, and it was announced that there was not a quorum. The official attendance was as follows:

##### **COMMITTEE MEMBERS**

Anthony Fiore  
Erin J. Hundley  
Leeanne Shade

##### Excused:

Michelle D'Allaird Brenner  
Shirley Cheng

##### **DEPARTMENT OF STATE STAFF**

Amy Penzabene  
Jodi DeLollo  
Jasmine Norman  
Ernest Delaney  
Denise Tidings  
Emily Lupe  
Shannon Maguire  
Marcella Rose

##### **NYSED STAFF (Public Schools-CTE)**

Nicole Hadsell

##### **VISITORS**

Holly Garofano  
*\*Other Public Members*

##### **NYSED STAFF (BPSS)**

Thomas Reimer

A. Penzabene welcomed new Committee members, E. Hundley and L. Shade, and asked them to provide some information on their respective professional backgrounds. Both new members mentioned that they are salon owners and educators and have spent several years in the appearance enhancement industry. A. Penzabene provided some information on the role and composition of the nine-member NYS Appearance Enhancement Advisory Committee and the responsibilities of members, as outlined in Article 27 of the General Business Law. She mentioned that the Committee meets three times per year and that five members must be present in order to achieve a quorum and vote on proposals.

#### **II. DEPARTMENT REPORTS**

A. Enforcement Update – E. Delaney provided an Enforcement report. He stated that the annual salon inspection program started in July 2021 and includes metropolitan areas such as New York City, Long Island, Buffalo, Albany, and Syracuse. He mentioned that while conducting these inspections, Enforcement is looking for salons that are operating with a violation and paying special attention to whether salons are complying with the ventilation requirement. E. Delaney explained that the law requires all salons with nail specialty services to have a ventilation system installed at manicure and pedicure stations. E. Delaney stated that salons licensed before October 3, 2016, were given until October 3, 2021, to install these systems. He mentioned that after having the system installed, salon owners will need to have a ventilation certificate

completed by the installer. He added that if violations are found during the inspections, salon owners will be provided with the opportunity to cure the violation by providing proof of correction by email; if the proof is acceptable, then the salon owner will not need to attend a hearing regarding the violation thereby avoiding fines and other penalties. He concluded his reported by stating that there has been a good response by salon owners with a good number taking advantage of the opportunity to correct their violations.

B. Processing Report – E. Lupe reported on the provided July 2020 and July 2021 licensing statistical reports. She explained that the total number of licensees are broken down by license type and that the 2021 figures only include active licensees and do not include expired licenses covered by EO 202.11 which allows licensed individuals to extend their license term during the current State of Emergency.

C. Written and Practical Exam Updates – S. Maguire provided examination statistics for January 2021 through July 2021 as follows:

Cosmetology: *Written Exam* - Administered to 2,674 applicants with a pass rate of 70%  
*Practical Exam* – Administered to 1,543 applicants with a pass rate of 81%  
Esthetics: *Written Exam* – Administered to 1,744 applicants with a pass rate of 69%  
*Practical Exam* – Administered to 1,535 applicants with a pass rate of 97%  
Nail Specialty: *Written Exam* – Administered to 1,255 applicants with a pass rate of 88%  
*Practical Exam* – Administered to 1,423 applicants with a pass rate of 89%  
Waxing: *Written Exam* – Administered to 575 applicants with a pass rate of 65%

### III. NEW BUSINESS

A. Executive Order Update – J. Norman reported that all Executive Orders that were put in place as early as March 2020 through July 2021 are now expired as they relate to appearance enhancement businesses, education, etc.

B. DOS Website Update – A. Penzabene reported that the Department of State’s website was updated in May 2021 and was redesigned to give it a similar look to other New York State government agency websites and make it more ‘user friendly’ (easier to navigate). She stated that if anyone has any difficulty with the new site, they should reach out to a DOS/Licensing team member.

C. Next Advisory Committee – D. Tidings announced that the next meeting of the NYS Appearance Enhancement Advisory Committee is scheduled for Monday, October 25, 2021, at 10:30 a.m. She stated that members should submit potential agenda items to her.

NYSED BPSS representative, T. Reimer, inquired about the receipt of the pass/fail school report; A. Penzabene will coordinate with ITS and follow-up on the expected generation date of the report. A. Fiore inquired as to how many barber apprentices a licensed barber may supervise; A. Penzabene will check and have D. Tidings (Board Coordinator) provide this information to all Committee members.

### IV. ADJOURNMENT

The meeting was adjourned at 10:57 a.m.