

BOARD OF BARBERING AND COSMETOLOGY
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: September 12, 2023

Time: 12:00 p.m.

Place: Queen Liliuokalani Conference Room
HRH King Kalakaua Building
335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Virtual Videoconference Meeting – Zoom Webinar
<https://dcca-hawaii-gov.zoom.us/j/84813401554>

Present: Margaret Williams, Barber Member, Chairperson
Raynette Hall, Beauty Operator Member, Vice Chairperson
Michael Basta Jr., Beauty Operator Member
Leslie Murata, Public Member
Jamie Yap, Public Member
Andrew Kim, Deputy Attorney General (“DAG Kim”)
Kerrie Shahan, Executive Officer
Lei Ana Green, Executive Officer
Candace Ito, Executive Officer
Kai Cockett, Secretary
Mia Hoang, (Technical Support)
Johnny Li (Technical Support)

Excused: None

In-Person Guest(s): Yuko Ho, Owner, Honolulu Nail Academy, LLC
Junsuke Aaron Otsuka
Laureen M. Kai

Virtual Guests: Lynsey
Reese Owens Yap
Bronson Sonico
Eric H.

Agenda: The agenda for this meeting was posted on the State electronic calendar as required by HRS section 92-7(b).

A brief video was played to explain procedures for this virtual meeting and how members of the public can participate and interact with the Board during the meeting.

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Call to Order: Chairperson Williams proceeded with roll call of the Board members. Members joining by Zoom confirmed that they were present and alone. There being a quorum present, Chairperson Williams called the meeting to order at 12:08 p.m.

Approval of the May 16, 2023, Minutes: It was moved by Mr. Murata, seconded by Vice Chairperson Hall and unanimously carried to approve the meeting minutes of the open session and the meeting minutes of the executive session of the May 16, 2023 meeting as circulated.

Election of Chairperson and Vice Chairperson: Chairperson Williams asked if any members of the public would like to provide oral testimony on this agenda item. There were none.
The floor was opened for the election of the Chairperson. Vice Chairperson Hall nominated Ms. Margaret Williams as the Chairperson.

It was moved by Ms. Hall, seconded by Mr. Murata, and unanimously carried to elect Ms. Williams as the Board's Chairperson.

The floor was opened for the election of the Vice Chairperson. Mr. Murata nominated Ms. Raynette Hall as the Vice Chairperson.

It was moved by Mr. Murata, seconded by Chairperson Williams, and unanimously carried to elect Ms. Hall as the Board's Vice Chairperson.

Executive Officer's Report: Chairperson Williams asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

A. Results of the NIC Examination Administered in May, June, July, and August 2023

Executive Officer Green provided the following results:

May 2023	Passed	Failed	Passing %
Barber	100	0	100
Cosmetology	43	47	42
Esthetician	62	43	61
Hairdresser	50	50	50
Instructor	100	0	100
Nail Technician	67	33	67

June 2023	Passed	Failed	Passing %
Barber	28	72	29
Cosmetology	63	37	63

Esthetician	70	30	70
Hairdresser	100	0	100
Instructor	67	33	67
Nail Technician	-	-	-

July 2023	Passed	Failed	Passing %
Barber	67	33	67
Cosmetology	33	67	33
Esthetician	68	32	68
Hairdresser	67	33	67
Instructor	-	-	-
Nail Technician	83	17	83

August 2023	Passed	Failed	Passing %
Barber	55	45	56
Cosmetology	30	70	30
Esthetician	50	50	50
Hairdresser	60	40	60
Instructor	-	-	-
Nail Technician	30	70	30

Licensing:

Chairperson Williams asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

At 12:15 p.m., it was moved by Mr. Murata, seconded by Mr. Basta, and unanimously carried for the Board to enter into Executive Session to consider and evaluate personal information relating to individuals applying for licensure in accordance with HRS section 92-5(a)(1), and to consult with the Board’s attorney on questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4). (Note: Board members and staff entered into Microsoft Teams).

EXECUTIVE SESSION

At 1:46 p.m., it was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried for the Board to move out of Executive Session and to reconvene to the Board’s regular order of business.

A. Apprenticeship Applications:

- i. Keana Ewe
(Esthetician)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve the apprenticeship application for Ms. Ewe.

B. Applications for Exam and License:

- i. Christopher Lin
(Instructor – Cosmetology)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to defer Christopher Lin's instructor application.

- ii. Arabella Vang
(Instructor – Esthetics)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve Arabella Vang's instructor application.

- iii. Chris Koyangi
(Instructor – Cosmetology)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve Chris Koyangi's instructor application.

- iv. Winston Tadena
(Apprentice – Hairdresser)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve Winston Tadena's apprentice application.

- v. Nestor Ruiz
(Beauty Operator – Esthetician)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve Nestor Ruiz's beauty operator application.

C. Shop Applications:

- i. Lashitique Studio Hi, LLC
Zelsha Keo
(New: Beauty Shop License – Esthetics)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve the Lashitque Studio HI., LLC beauty shop application.

- ii. Zoey Kemp-Haxby
(Trade Name: Zoey Esthetics)
(New: Beauty Shop License – Esthetics)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve the Zoey Kemp-Haxby beauty shop application.

- iii. Topgun Barbershop
Bronson R. Sonico
(New: Barbershop License)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve the Topgun Barbershop application.

D. Applications for Restoration of License:

- i. Iori Izawa
(Beauty Operator: Nail Technician)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve Iori Izawa's beauty operator application, with NIC examination waiver.

- ii. Donald Robinson, Jr.
(Beauty Operator: Hairdresser)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve Donald Robinson's beauty operator application, with NIC examination waiver.

- iii. Alicia Manutai
(Beauty Operator: Cosmetologist)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to approve Alicia Manutai's beauty operator application, with NIC examination waiver.

E. Ratification List (see attached list)

It was moved by Vice Chairperson Hall, seconded by Mr. Murata, and unanimously carried to ratify the list of issued licenses attached (see

attached list).

New Business: Chairperson Williams asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

A. Request for approval of Online Esthetician Program
Honolulu Nail Academy, LLC, Yuko Ho

Junsuke Aaron Otsuka (“Attorney Otsuka”), attorney for the applicant, Yuko Ho, owner of the Honolulu Nail Academy, and Lauren Kai, consultant for Yuko Ho, introduced themselves to the Board.

Attorney Otsuka stated that to assess this application, the Board needs to recognize the history of this application. In 2017, the Board approved an online Nail Technician program for Honolulu Nail Academy (“HNA”). In December of 2020, Ms. Ho submitted an application to offer an online for esthetics program. Mr. Otsuka stated the minutes do not state whether the application was approved or not, and that was the only application on the agenda that day. He continued that the minutes noted that any online school, if certain conditions are met, can do online programs. Attorney Otsuka stated that he thinks it’s because of the Covid situation at that time and it was for the duration of the Covid pandemic, however, the status of his client’s application was not noted in the minutes as to whether his client’s request was approved or whether it was denied. On March 29, 2022, an application for relocation of HNA was considered and approved by the board. Attorney Otsuka stated his belief that when there is a transfer application the Board reviews everything.

Executive Officer Green informed Attorney Otsuka that HNA submitted a relocation application.

Attorney Otsuka stated that Ms. Ho thought her online program was approved with the March 29, 2022, relocation application. It wasn’t clearly mentioned in the minutes that her online esthetic program was approved, but because the relocation was approved, Ms. Ho thought her online program was approved.

Attorney Otsuka stated that after the pandemic, Ms. Ho communicated with DDCA to have her online esthetician program ratified. Ms. Ho is requesting is a formal recognition by the board that this online esthetician program has been approved. Attorney Otsuka stated that he understands that the Board may have some concerns because everything is done online but HNA has conducted the program and his understanding that the passing rate

is about over 60% and sometimes its 70%. He stated the program is working very fine. The program has special features and safety check points. He stated they didn't submit the material in their application because it is copyrighted and its very long. They can submit it if the Board will consider it in Executive Session where it's not submitted to the public in camera view. HNA recommends that the students have insurance.

Attorney Otsuka stated that within the 2 years that the program has been running, they've been updating the program. Online courses are actually necessary for public need. He stated that due to the Lahaina fire, there are 7 students that would like to begin the online program, but because the online esthetician program is on hold, HNA cannot accommodate them.

He continued that HNA works with schools to have online programs so that high school students don't drop out. HNA is trying to develop that kind of program and expanding online services that can be very beneficial to the public. He stated HNA is moving really fast with Internet and capacity. He stated that the courts do hearings and trials via Zoom. Everything is online. He believes it's time to start approving online courses. He stated further that he thinks it's appropriate to handle this situation by ratification of the program that has been previously approved.

Executive Officer Green asked Ms. Ho if she would like to present her online program to the Board.

Ms. Ho asked for clarification of the question regarding presenting the material to the Board.

Laureen Kai stated that she thinks the information provided earlier should have explained the sufficient need of the online program. HNA had a presentation in 2020 and 2017, and it can easily do that again for the Board if it wishes to have that. All the information is in the packet that was given to the Board in August.

Executive Officer Green stated that that the Board has what Ms. Ho provided for this meeting, however when someone requests a determination from the Board and appears at the meeting, they often wish to give a presentation along with the documentation they have submitted. She stated that if Ms. Ho did not wish to make a presentation, the Board can discuss her request based on the documentation that was submitted.

Attorney Otsuka stated that he wants to note the online program was in the transfer application. Executive Officer Green again

clarified that HNA submitted a relocation application.

Ms. Ho stated that she did not wish to provide an oral presentation, but that when she submitted the relocation application, Executive Officer Yam reviewed the catalog that was included and noted some parts HNA would have to fix. She stated that because Executive Officer Yam reviewed the online program, she thought it was approved. She stated that the online program has been in operation for approximately three years since the pandemic and that HNA has been updating the program and believe it has been very successful.

Executive Officer Shahan stated that when HNA relocated its facility in 2022, all schools were allowed to do 100% online curriculum due to the Covid-19 Pandemic, and the Board approved HNA's relocation application.

Attorney Otsuka said that is one interpretation, but it is not actually written that way in the minutes. The minutes only says its approved.

Executive Officer Green stated that the minutes reflect that the Board approved the relocation application, which was to relocate the school.

Ms. Kai stated that the application itself had everything in it including the school catalog, the description of the curriculum of the entire school to relocate. The information provided to the Board shows that it is a 100% online Esthetics program.

Executive Officer Green reiterated that all schools at that time could provide all their programs 100% online because the Board had given a blanket approval due to the Covid-19 Pandemic.

Executive Officer Green asked the Board members if they have questions for the individuals that are present in the meeting.

Vice Chairperson Hall asked who students are practicing on when they do their practical application online.

Ms. Ho stated that it definitely is not a client; it's a family member. It starts with performing work on a mannequin. A student's work is reviewed step by step, and if the student's work on the mannequin does not pass review, then the student cannot go onto the next step.

Vice Chairperson Hall asked if the students bring the mannequin to the instructor.

Ms. Ho responded with 'yes'.

Vice Chairperson Hall asked for clarification if it's actually a video camera looking at the mannequin.

Ms. Ho responded with 'yes'.

Vice Chairperson Hall stated that a main concern is that work on a mannequin may look good from the angle shown on camera but, for example, if lashes are being applied, it is unclear if the mannequin's eyes are glued shut. Also, there are other types of services that could cause injury to someone, which are not visible or detectable on a mannequin that is viewable via camera only. One of the responsibilities of the Board is not only to protect the cosmetology industry, but also to protect the people it serves.

Ms. Ho stated that every session, the students have the video on and they have instructions on how to record and how to angle the video so the instructor can check the mannequin from different angles. The instructor checks the students' movements; they know if the solution is touching the eye or not. If there are any errors, the student will not be passed, and the instructor will have the student redo the work.

Vice Chairperson Hall stated if the student does move on to practical application on a person and something should happen, a student is not prepared for that type of situation. The student could possibly make a situation worse. For example, if a student were waxing, and they made the wax too hot, they could decide to take care of the burn themselves instead of going to the emergency room, and make it worse. She asked who is liable for that, the student or the school. She stated that is why we have instructors in place, to make sure these types of situations don't happen but if they do, the instructor is there.

Vice Chairperson Hall stated further that any type of service, whether it be chemical peels, lash services with the glue, or waxing, could cause some sort of injury. It is necessary to have an instructor onsite when the student is doing practical application if there is potential for injury. For example, a student can have the wax temperature on high to heat it up, but the student is supposed to turn it back down to a safe temperature before applying it. However, an instructor who is physically there could ensure the student is making the appropriate adjustments prior to performing the service on the live subject.

Ms. Ho stated that for wax treatment they have a thermometer. The

student needs to check the temperature first, show the temperature to the camera, and if it's too hot they will not be instructed to use it. The online program is the State curriculum only. They do not do chemical peels or eyelash extensions; just the State required program. Ms. Ho agrees it is dangerous and that they don't put that in the curriculum. The basic facial, back treatment, all the state requirements only.

Vice Chairperson Hall stated that she is thinking about the safety of the live models or clients, and if someone should have an allergic reaction, the instructor would normally be there to take responsibility for that student. This is one of the Board's concerns, and it was a concern before HNA came in today.

Ms. Ho stated that students have handouts, and students learn from the books how to handle chemical reactions. There is an agreement the model has to sign and that they provide liability insurance.

Vice Chairperson Hall asked if that liability insurance covers the student's home.

Ms. Ho responded with 'yes, that individual'.

Chairperson Williams and Vice Chairperson Hall stated that they do not see how that can work, as liability insurance is normally for a location and Vice Chairperson Hall asked if HNA has each student listed on HNA's insurance.

Ms. Ho responded that the insurance is not under the school, the student has to acquire it.

Vice Chairperson Hall asked if the students are required to obtain liability insurance and if that's stated in the curriculum.

Ms. Ho responded that it's a recommendation.

Attorney Otsuka stated that if it's an allergy, a doctor should handle it. Also, it is recommended that the students have liability insurance, but students have their budget and that has to be taken into consideration. The purpose of online program is to make it affordable. There are risks, there are many risks in anything, and anything could happen. He stated that he believes his client is trying to mitigate that any risk through the online method. He understands that the teachers aren't there, but maybe the teachers might not be helpful. All they can do is bring somebody to the hospital.

Vice Chairperson Hall responded that the responsibility falls on the

shoulders of the school when a student is physically in the school. Some of the students are 18 or 19 years old and they do not know better. If the student does injure someone and they were physically in the school, the school is liable, not the student.

Attorney Otsuka stated he understands that there is such concern but, at the same time, because no one is there to help them, the students study more and try to be more safe. Some students may come in and think that since the teacher is there, the teacher will help them. He stated further that there are many scenarios and they're trying to present and that there are many benefits for the student to be taking responsibility for themselves. That is also a benefit. He stated that there are risks, but there are good sides to it.

Mr. Basta stated this is a regulated industry. He had 2 salons with licenses and they have to adhere to certain regulations and are subject to inspections. There is no way to regulate what's going on in a private residence. He stated there are safety concerns. Mr. Basta stated further that what HNA is requesting, because it submitted that application to relocate its school, that it should be given an exception now while the rest of the industry still has to adhere to the regulations. He stated that he agrees that there are a lot of things that could go wrong, and there is concern with the Board allowing licensees to do things that cannot be regulated.

Attorney Otsuka stated that the students are taped, there will be a better record than just going to a physical school because students are being taped. If there is an accident, it will be taped.

Mr. Basta stated that the Board still cannot regulate that home environment; the Board members cannot walk in a private residence as they could a licensed school; they don't know if there is a sanitation issue. The Board has no way of regulating a private residence.

Chairperson Williams stated that the Regulated Industries and Complaints Office ("RICO") also can't go into a private residence to investigate if there is a complaint or investigation.

Vice Chairperson Hall stated the Board is not anti-online. The Board understands that the times are moving forward, and it wants to move forward, as well. The Board is not against HNA regarding the online course. The Board's concern is a student performing practical application on a living subject because there is no instructor present. Vice Chairperson Hall stated that she is comfortable with students practicing on mannequins, but if the students are going to practice on a human, there are additional issues. For example, no

one knows if the students have dogs or any type of animal, and the students can say that the animals are in another room, but you don't know if an animal is in the room when the student is performing a service. Salons have a regulated area; salons are not supposed to have animals there unless they are service animals. She reiterated that the Board is not anti-online; the Board is concerned about the practice on a human subject without an instructor present. Mr. Basta added that the concerns include practicing on a human subject when not in a controlled and regulated environment, and Vice Chairperson Hall agreed.

Ms. Ho stated that they check the room before service. The student has to video tape the room that they will be practicing in to make sure it is the same as a campus room: there are no kids or pets, and everything is properly sanitized. Students have a check point list, then they can start service. On campus, sometimes instructors have 10 students that they cannot check on, but online they can check every single step, one on one, so it's a good benefit. So, with the allergic reactions, the students should know; it's put it in the curriculum. Ms. Ho said they don't teach eyelash extensions, but when it's done, there's always testing first, to see if there's an allergic reaction and come back another day. All estheticians need to know what they study and what they have to do, and it's included in the curriculum. Ms. Ho stated that they have not had any problems for the past 3 years. The program's been continuously updated and it's complete now.

Attorney Otsuka suggested that if the Board has issues, it should allow HNA to continue the online program temporarily for a couple more years to see what the track record is. He stated that we're concerned about safety but everyone is talking about fictitious things that may happen in the future and the actual safety rates should be considered. HNA already has a two-year track record and it's his understanding there have been no safety issues. So, if the Board has safety issues, HNA could do a trial run for two years.

Ms. Ho reiterated that it's not brand new; HNA has been doing this for three years and no one has had a problem because they try to avoid it. If someone has a problem, they can contact HNA. Students can also make an appointment to come to the campus. If they cannot come to campus, they can make a Zoom appointment. The students appreciate this because they have to work. They cannot come to school full-time for a couple months because they're busy. It may take a little more time than going to campus, but the students complete the program and start their own job. She understands the Board is concerned, but HNA was also concerned before they started. HNA has been doing this for two and a half to three years

and she's very confident in this online esthetics program.

Attorney Otsuka stated that he understands that we need to look ahead for potential safety record, but any decisions should be based on the actual safety record.

Chairperson Williams asked what percentage of the students who start the program actually graduate within the set amount of time.

Attorney Otsuka responded that online in 2020 the total enrolled was 24; 4 active, 4 paused, 16 graduated, 16 passed that state board exam, and there is a passing rate of 66.6%. In 2021 the total enrolled was 32; 23 graduated, and there was a passing rate of 71.8%. In 2022 the total enrolled was 42; 21 graduated, there was passing rate of 50%, and 17 students are still active.

Vice Chairperson Hall asked why the 17 esthetician students that are active, who all started in 2022, have not yet completed the program in 2023.

Ms. Ho stated it depends on the student's payment plan. HNA offers a good payment plan so they may be a little slower to graduate. Some may graduate but are waiting for their exam.

Chairperson Williams stated that HNA's tuition is about the same as the schools that are not online. She asked what the relevance would be of that and how the students are saving money.

Ms. Kai responded that the students save money by continuing to work while they go to school, they are continuing their lives as they go to school online so they can earn an income while doing this. The online program takes a little longer, as it's spread over a longer period of time. The price point on that is equal to a semester of going to an on-campus curriculum. She stated that the students online would gain the same education as those on campus.

Vice Chairperson Hall stated that when she went to school, even if students had payment plans, the students would continue the payments but if the students finished their hours, they could take the test. There was a contract to pay for schooling, so they continued to pay. She asked why some of HNA's students have still not completed the program when it's 600 hours of schooling for esthetics.

Ms. Ho stated that there are checkpoints. If HNA opens everything and gives the students everything and the students don't pay, then HNA doesn't get the money. Every video has a password.

Vice Chairperson Hall stated that she was trying to understand how it can take over a year to complete a 600-hour course.

Attorney Otsuka stated that it's his understanding that if the student finishes level 1, then they can go on to level 2. The system is set so that if the student doesn't pass, the student doesn't go to the next level, but the payment is also related to that. If the student goes to the next level, the student makes the next payment. He stated that it's better than most schools where the students pay for everything, but the student is still at level 1.

Ms. Ho stated that, at the beginning, students had payment plans and HNA gave them access to everything, but students didn't complete it. Due to the issues, they modified the program to a section-by-section model. HNA gives students one year to start from theory, then start the practical. She stated that this is more on the business and accounting part and not related.

Vice Chairperson Hall stated she feels that this model is a disservice to the students in the online program. If a student starts the program, the student is trying to make a living and start a new career. Of course that student can't afford the whole program and needs a payment plan. She asked if a student started the program, and paid for the first tier, what number of hours are given in that first tier.

Ms. Ho stated it depends on the student's pace.

Vice Chairperson Hall stated that with an online program model like this, where the student must wait until they can pay for the next level, it may be 3 months before they can afford to pay and, by that time, all the knowledge prior to it is muddled. She stated that she has been practicing for over 20 years and if an individual isn't consistently practicing services during school, it doesn't get embedded into the individual's core memory.

Attorney Otsuka stated that it's his understanding that once a student purchases a program level, the student can rewatch it as many times as they want, so it's actually better. It's better than going to school just once and then the student forgets. With the online program, the student can watch it many times.

Chairperson Williams asked if after the student starts the online program, are the students liable for the full tuition and if that is why the students continue for years.

Ms. Ho responded that they have a contract.

Chairperson Williams asked if the contract states that once the student has started the program, after the first two weeks of school, the student is responsible for paying the tuition of the entire program whether they stay in the program or not.

Ms. Ho replied 'no'.

Ms. Kai stated it's like the regular on-campus contract and any school's contract with their students.

Ms. Ho stated that's the business side.

Chairperson Williams stated that the esthetician program is a hands-on program and students are working with people in a hands-on manner. As an example, she asked if a live model has a rash or a fungus on the hairline or face, how the student would know what it is and how to mitigate the spreading of it. She stated that she believes that it is not in the interest of the public to have hands-on programs be online.

Ms. Ho stated that's why the students have the textbook to learn from; that is all their knowledge. The new book has pictures, and HNA inserts videos to show chemical reactions and allergy reactions. On campus it is the same thing; HNA shows the same video, and the students should know.

Attorney Otsuka stated again that it should be noted if there's any real actual safety concern that exists or not. He understands there are concerns and people need to be regulated to prevent those risks. He stated that when there's no actual evidence that there are safety concerns, he thinks that sometimes it's over exaggerating and thinking too much that there be possible things when there is not. He stated that he emphasizes looking at the actual safety record, at whether the program is working. Even in schools, the school could have a curriculum that looks good on paper, but the actual practice may not be good.

Vice Chairperson Hall made a motion to deny HNA's request to offer its 100% online esthetician program, and reaffirm the Board's May 16, 2023, determination that 100% of theory curriculum may be taught via a distance learning for students starting a program in a beauty school on or after June 1, 2023 provided that the practical application theory portion of any such distance learning shall not be performed on live subjects and may only be performed on mannequins. However, the Board provides a retroactive approval for

HNA's 100% online esthetician program effective April 28, 2020, to September 12, 2023, and those students who have started the program (not simply enrolled in the program) may complete HNA's 100% online esthetician program. However, as of September 12, 2023, no students shall be allowed to begin HNA's 100% online esthetician program.

There being no further discussion from the Board members, Vice Chairperson Hall's motion was seconded by Mr. Yap, and it was unanimously carried to deny HNA's request to offer its 100% online esthetician program, and reaffirm the Board's May 16, 2023, determination that 100% of theory curriculum may be taught via a distance learning for students starting a program in a beauty school on or after June 1, 2023 provided that the practical application theory portion of any such distance learning shall not be performed on live subjects and may only be performed on mannequins. However, the Board provides a retroactive approval for HNA's 100% online esthetician program effective April 28, 2020, to September 12, 2023, and those students who have started the program (not just enrolled in the program) may complete HNA's 100% online esthetician program. However, as of September 12, 2023, no students shall be allowed to begin HNA's 100% online esthetician program.

Ms. Ho asked if the students may perform 450 hours of practical application on mannequins via an online program.

Chairperson Williams reiterated that 100% of the theory curriculum may be offered online.

Ms. Ho asked why HNA cannot offer practical application on mannequins via an online program.

Mr. Murata stated that the Board has determined that practical application must be performed in the school. He asked Ms. Ho how HNA would determine, of the 450 hours of practical application required for the curriculum, what specific number of hours would be performed on a mannequin and what number of hours would be performed on a live model.

Ms. Ho stated they have 450-hour system, and all students must start on mannequins.

Mr. Murata asked at what point a student transitions from a mannequin to a live model.

Ms. Ho responded that it depends on the student's ability, same as

on campus. If the student is not confident and not ready to take a client, they don't transition. The student practices more and then they transition to a client. This is for safety, and the same thing applies online.

Attorney Otsuka stated that perhaps the language of the Board's determination and notice regarding the allowable online theory component isn't clear for laypeople and the Board should perhaps word it differently. When a layperson reads "theory" it means reading textbooks and when a layperson reads "practical" they think it includes mannequins and also human subjects. He stated that when he reads "theory practical" he gets confused.

Executive Officer Green clarified that there is a portion of theory that requires a practical application to learn that theory, but it is still a component of the theory portion of the curriculum. Thus, that portion of theory practical is allowed online, but only on mannequins. The language that the Board considered in its deliberation and chose in its determination was based on the industry terminology and Ms. Ho is in the industry.

Executive Officer Green stated that Mr. Murata had asked at what point a student transitions from a mannequin to a live model, and it appears from Ms. Ho's response that that is determined by the instructor who assesses the individual student's abilities and readiness. Ms. Ho agreed. Executive Officer Green stated that due to that individual assessment, it appears to be difficult to make a general determination of how many specific hours must be performed on a mannequin before students move to a live model, and Mr. Murata agreed.

Mr. Murata stated that, as HNA cannot determine the specific number of hours that students need on a mannequin before the students can transition to a live model, as it depends on each individual student, the Board cannot make a determination of the number of hours that should be allotted for mannequin work and the number of hours on a live model. Thus, he agrees that 100% of the practical application portion of the curriculum should be performed in a school.

Attorney Otsuka requested that the Board consider issuing a clarification its notice stating that the practical application on a mannequins is allowed online.

Executive Officer Green and Executive Shahan informed Ms. Ho that the Board has made its determination based on the question on today's agenda and that if HNA would like to request approval from

the Board for HNA to offer the mannequin portion of its practical application curriculum online, they may request to appear at a future Board meeting and address the Board's concerns that have been expressed during today's meeting.

Ms. Kai stated that she wants the Board to appreciate the fact that Ms. Ho and her school had gotten approval, albeit it was from another Executive Officer from another Board, and at that time in 2022, she was given the go-ahead and no matter how many times she questioned it and asked for it to be on the agenda, because of the pandemic and other issues, she understands that, Ms. Ho was never told to stop. She invested a lot of money, time, and effort, and her students' lives in this program and has continued for two and a half years with no issues. And over the course of two and a half years, she has improved it, it has been changed to address every issue that has come up, and that this Board has never denied her that. And at the time she asked for a relocation, she did make very clear that it did include an online esthetician program and an online nail program, and it was all in the literature and documents that were given to the Board at that time. She stated further that she understands that this is a different Board, but Ms. Ho was operating under the advice and approval of those Board actions. So, you can see how that has affected her, and the amount of time and money that has been put into this. Even she as an outside consultant has felt that. I hope the Board in its decision making has actually considered that and appreciates that and that she is a small business owner trying to make a living trying to help the students, trying to help people get into the profession as best trained as possible. Ms. Kai stated that Ms. Ho's school has done that. She's speaking up to ask the Board to please consider that and appreciate that.

Chairperson Williams stated she knows that business is hard, and she appreciates all that Ms. Ho has gone through, but she feels the endeavor is premature or that they need to perform a little more hands-on work.

Executive Officer Green reiterated to Ms. Ho that they may come back to a future meeting and if they have a presentation for the Board, it can be added to the agenda.

Next Board Meeting:

Tuesday, November 14, 2023
12:00 p.m.

In-Person: Queen Liliuokalani Conference Room
HRH King Kalakaua Building

335 Merchant Street, First Floor
Honolulu, Hawaii 96813

Virtual Participation: Virtual Videoconference Meeting
Zoom Webinar

Adjournment: There being no further business to discuss at this time, the meeting was adjourned at 3:05 p.m.

Reviewed and accepted by: Taken and recorded by:

/s/ Kerrie Shahan

/s/ Kai Cockett

Kerrie Shahan, Executive Officer

Kai Cockett, Secretary

KS: kc

11/06/23

Minutes approved as is.

Minutes approved with changes. See Minutes of the November 14, 2023, meeting.

**BOARD OF BARBERING AND COSMETOLOGY
RATIFICATION LIST – September 12, 2023**

BARBER

BAR-4128	ZOMAR G LOPEZ
BAR-4129	TIMOTHY C FREETLY
BAR-4130	GREGORY B AUTREY
BAR-4131	GARY BOW LAM GAN
BAR-4132	ROBERT T VAN
BAR-4133	JOHN THACH
BAR-4134	GARY K STOCKMAN
BAR-4135	EUISUN CARSON
BAR-4136	ALEXIS K S GIBBS
BAR-4137	MARC A SAAVEDRA
BAR-4138	JORAM M CAJERO MONTOYA
BAR-4139	MICHAEL R DONAHUE
BAR-4140	VINCENT M HOLLOWAY
BAR-4141	RILEY M BALLESTEROS
BAR-4142	GAVIN M FITZGERALD
BAR-4143	TAJH K TULBA

BEAUTY OPERATOR

BEO-24486	THOMAS BOJORQUEZ 2ND
BEO-24487	DAO THI NGOC NGUYEN
BEO-24488	DANIELA SANCHEZ MEJIA
BEO-24489	SVETLANA N STATINA
BEO-24490	Amber Elizabeth Cramer
BEO-24491	NANCY M MARFIL
BEO-2449	LETICIA M ZUNIGA
BEO-24493	NOMALA TEN HUDDY
BEO-24494	ARIANA J SANTIAGO
BEO-24495	Chanelle Esprite Schmid
BEO-24496	JAZZLYN K STANDFORD
BEO-24497	CARLA S REPPETEAUX
BEO-24498	NORIKO OKAMOTO KUEHN
BEO-24499	MI SUN KIM
BEO-24500	Kara Nicole Hamm
BEO-24501	TRANG T K NGUYEN
BEO-24502	LAURA DIANE LAUVER

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BEO-24503	KEYANA K M CORREIA
BEO-24504	KARA EMERSON
BEO-24505	DAOMING ZHENG
BEO-24506	VALERIA MAGANA MAGANA
BEO-24507	ALISA N COIMBRA
BEO-24508	Ava L Vazquez
BEO-24509	Arden Julia Kahle
BEO-24510	MEGAN E ELAM
BEO-24511	ANGELA G RUNK
BEO-24512	YSABEL L HANAMAIKAI
BEO-24513	TONILYN M TAGLE
BEO-24514	BRANDI HAUOLI HULIHEE
BEO-24515	CHANNA A TRANSFIGURACION
BEO-24516	Nikki K Kamoku-Pantohan
BEO-24517	MICHELLE A NABONG
BEO-24518	PHON LINH HUYNH
BEO-24519	STEJANTE SHANIECE WASHINGTON
BEO-24520	Bridget Mae Carter
BEO-24521	RIE M KAJIWARA
BEO-24522	PEACEFUL R LYONS
BEO-24524	Deja Nekole Warren
BEO-24525	JULIETTE M PARADISO
BEO-24526	Desiree B Dahilig
BEO-24527	Jerae K Fusco-Kupuka'a
BEO-24528	JASMINE K AIWOHI-KEOMAKA
BEO-24529	Cherel H Ing
BEO-24530	HALEY J MARKEL
BEO-24531	KARLIE L TACTAQUIN
BEO-24532	VICTORIA H FAUMUINA
BEO-24533	ILIANA MARIE GOODMAN
BEO-24534	PAIGE CHARLISE SOLOMON
BEO-24535	Rayna K Duenas
BEO-24536	ADRIENNE M WORLEY
BEO-24537	Rebecca Lane Haskins
BEO-24538	Taylor K Miyake
BEO-24539	Toni Elizabeth Kincaid
BEO-24540	Kristen A Maeno
BEO-24541	ANUHEA R KALAMA-WRIGHT
BEO-24542	RASHIA S I CHATMAN-ULIBAS
BEO-24543	JAMIE LEE ENDRES
BEO-24544	ARIANNA SKYE KEMALA CHUNG

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BEO-24545	TAIA I DARJEAN
BEO-24546	MADELYNN T ENGELKE
BEO-24547	RINA NAGAHASHI
BEO-24548	Jiordanne C Guy-Candelaria
BEO-24549	GINESSA D BONO
BEO-24550	Mahina Haruka Bettencourt
BEO-24551	THUYDUONG THI NGUYEN
BEO-24552	Nobuko Nakajima
BEO-24553	Leslie J Llanes
BEO-24554	JOCELYN J MATSUTANI
BEO-24555	TRISELLE N PERKETT
BEO-24556	HILLARY E HOWARD
BEO-24557	CHANELLE CORAE SORGANI
BEO-24558	HOKULANI K PACARRO
BEO-24559	KAMISHIA DIONNE STANFIELD
BEO-24560	EMILY H M BROWN
BEO-24561	Shelby D Ferguson
BEO-24562	MYLA D NOVECK
BEO-24563	Aki Yamaguchi
BEO-24564	Finesse M Chang-Nixon
BEO-24565	Roxianne Kiana F Arista
BEO-24566	Alexandria Kaanoi Zabell
BEO-24567	Allison Kunkemoeller
BEO-24568	DANIEL SCHRIMSHER
BEO-24569	Jadalei Budiao Valdez
BEO-24570	KIMORA LOZENA MCKEE
BEO-24571	CRYSTAL MARILYN STENSLAND
BEO-24572	CHERISH H WAGNER
BEO-24573	Kelsie R DeNardo
BEO-24574	Brittney Teran
BEO-24575	JESSICA L LUNA
BEO-24576	BLANE J P BENEVEDES
BEO-24577	MAI SAKAKIBARA
BEO-24578	MAHINAHINA T L SALVANI
BEO-24579	JADE BELLE KIM
BEO-24580	Leslie Rose Carlos
BEO-24581	Keri Anela Waltjen
BEO-24582	HIRONOBU FUJIKI
BEO-24583	Alannah Lee Markman
BEO-24584	Melissa H Toledo-Kabalis
BEO-24585	JASMIN D V GAYAP

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BEO-24586	TIFFANY ANN M DACUYCUY
BEO-24587	MANDY S MASON
BEO-24588	LAURA LEE STEPHENS
BEO-24589	Angelica Acosta
BEO-24590	Myranda Acephie Douglas
BEO-24591	Alexis Victoria West
BEO-24592	ALAIA ARMONY
BEO-24593	Kristina Louise Welzien
BEO-24594	ANH N DANG
BEO-24595	STACEY LYNNE BOSCOE
BEO-24596	HALIA A BRUHN
BEO-24597	Hiileilani Naleilokeololena Tavares
BEO-24598	Jessica J Crump
BEO-24599	Yulia Kozyritskaya
BEO-24600	Shannon Mi Jung Youn
BEO-24601	Diana Hansen
BEO-24602	Phoebe Allison Andres
BEO-24603	Tamika Chuklanov
BEO-24604	TIANA S N KOA
BEO-24605	TRACY SUMI KIM
BEO-24606	HIDEYO HOPE
BEO-24607	SAMANTHA L HULEN
BEO-24608	CHRISTY K DALIGDIG
BEO-24609	ANDREA NICOLE M LLANES
BEO-24610	Kanani Marie Naihe
BEO-24611	Michele Fitzgerald Laster
BEO-24612	Xaria Natsuko Gonzales
BEO-24613	JESSICA SARAH FONTANILLA
BEO-24614	RHONDA LEIGH SAUER
BEO-24615	Kai Josephine Brown
BEO-24616	VICKY M MURPHY
BEO-24617	Brittini A K Rapoza-Nueku
BEO-24618	Jenna M Winham
BEO-24619	CHRISTY D MORALES
BEO-24620	ANDREA C NIKULA
BEO-24621	BRITNEE ROCHELLE GUZMAN
BEO-24622	JASMINE NICOLE PULIDO AGCAOILI
BEO-24623	CELINA TOVAR-DURAN
BEO-24624	TISHA URIOSTE SCHWARTZ
BEO-24625	HEIDI G CUEVA
BEO-24626	RIE A LIEU

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BEO-24627 KIANA JAE LIZAMA CRUZ
BEO-24628 LAURA SHANICE CARTER

BARBER SHOP

BAS-1791 BIG ISLAND BARBERSHOP INC
BAS-1762 CNB BARBER NAIL LLC

BEAUTY SHOP

BSH-6492 Kessyca Faren Silva
BSH-6493 GLOW BY GEORGEE LLC
BSH-6494 HELE MAI BEAUTY LLC
BSH-6495 SKINGLAMOUR_AESTHETICS, LLC
BSH-6496 SOPHIA & MERRY INC
BSH-6497 The Beauty Spot Hilo LLC
BSH-6498 LISA A HIRAOKA
BSH-6499 SHANTI ENTERPRISES INC
BSH-6500 SAINT ARTISTRY LLC
BSH-6501 EAGLE NAILS KAHALA LLC
BSH-6502 JULIE NEMOTO
BSH-6503 KAYLLAH M SALUD
BSH-6504 ALOHA LASHTENIA LLC
BSH-6505 KRISTINA K LEWIS
BSH-6506 KRISYXOAESTHETICS LLC
BSH-6507 The Girls at Graciela's Hair Salon Inc
BSH-6508 JANIDARTISTRY LLC
BSH-6509 ISLAND DERMATOLOGY LLC
BSH-6510 MERMANE LLC
BSH-6511 DIVINE NAILS LLC
BSH-6512 TANYA T BORDENKIRCHER
BSH-6513 PUTHEARY PHOK PETERS
BSH-6514 MARYANNE T LEAL
BSH-6515 WAHINE COLLECTIVE LLC
BSH-6516 Season Thai Massage LLC
BSH-6517 MAUI SHORES APPAREL GROUP, LLC
BSH-6518 NAILPEDIA AND SPA LLC
BSH-6519 MANE BEAUTY LOUNGE LLC
BSH-6520 HEARTY HAIR LLC

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BSH-6521	MIKAYLA DRU HAIR LLC
BSH-6522	AMANDA K BROUSSARD
BSH-6523	NEW MODERN NAILS LLC
BSH-6524	ELIZABETH KATHRYN SAISON
BSH-6525	KEKELA KUWAHARA LLC
BSH-6526	YE EUN PARK
BSH-6527	MHBEAUTY LLC
BSH-6528	NAESTHETIX ARTISTRY LLC
BSH-6529	FIRST HAIR CUTTERY LLC
BSH-6530	SIMPLY LAVISH LLC
BSH-6531	LUX BEAUTY BY KAILEY LLC
BSH-6532	DOMINICANHYM LLC
BSH-6533	K BEAUTY LAB INC.
BSH-6534	COLLEEN M GOTO
BSH-6535	Heidi Love
BSH-6536	J ISLAND INC
BSH-6537	HONEST RITUALS INC
BSH-6538	THE BROW AND INK STUDIO LLC

INSTRUCTOR

I-12481-0	IVAN K MATSUMOTO
I-12482-0	MONIQUE H VILLARIN