

Preliminary Evaluation of the State Board of Barbers

Recommendation: Full Evaluation

The Sunset Review Process

This evaluation was undertaken under the auspices of the Maryland Program Evaluation Act (§ 8-401 *et seq.* of the State Government Article), which establishes a process better known as “sunset review” because most of the agencies subject to review are also subject to termination. Since 1978, the Department of Legislative Services (DLS) has evaluated about 70 State agencies according to a statutory schedule as part of sunset review. The review process begins with a preliminary evaluation conducted on behalf of the Legislative Policy Committee (LPC). LPC decides whether to waive an agency from further (or full) evaluation. If waived, legislation to reauthorize the agency typically is enacted. Otherwise, a full evaluation typically is undertaken the following year.

The State Board of Barbers last underwent a preliminary evaluation as part of sunset review in 1998, having undergone a full evaluation in 1989 and a limited “mid-cycle” review in 1995. Based on the DLS recommendation in 1998 to waive a full evaluation, the General Assembly extended the termination date of this board to July 1, 2011.

In conducting its preliminary evaluation, DLS staff reviewed previous evaluations of the board; minutes of the board’s meetings for the last five years; licensing, exam, inspection, fiscal, and complaint data; as well as related laws and regulations. DLS also examined data on national industry trends, attended a board meeting, and conducted interviews with board staff and board members.

The State Board of Barbers reviewed a draft of this preliminary evaluation and provided the written comments attached as **Appendix 1**. Appropriate factual corrections and clarifications have been made throughout the document.

Trends in the Barbering Industry

According to the U.S. Department of Labor’s Bureau of Labor Statistics, approximately 60,000 barbers were employed nationwide in 2006; the bureau’s projections show that the industry will only grow by approximately 1.0 percent by 2016 (compared to 12.0 percent for hairdressers and cosmetologists). The growth in full-service salons that cater to both men and women may be a contributing factor. The National Association of Barber Boards of America (NABBA) is actively working to counter the perception that barbering is a declining industry. A survey commissioned by the National Accrediting Commission of Cosmetology Arts and

Sciences in 2007 indicates some slight regional variations in the popularity of barbershops. Barbershops accounted for 5.9 percent of Northeastern salons, compared to 8.2 percent of salons in the South – including Maryland.

Education and training of new barbers has become a growing national problem for the industry, as the number of barbering schools and/or qualified instructors has shrunk in some areas. Similarly, some barbershops are having difficulty finding adequately trained individuals to fill openings.

Although most states (including Maryland) separately license barbers and cosmetologists, the services provided by both are similar. Barbers primarily shampoo, cut, and style hair; however, they can also color and treat hair. All states except Alabama regulate barbering, and 19 states have combined their barbering and cosmetology boards.

The State Board of Barbers

The State Board of Barbers was created by Chapter 226 of 1904 to regulate the barbering profession and inspect shops and schools for compliance with sanitary standards. The board operates under Title 4 of the Business Occupations and Professions Article. Its regulatory activities focus on protecting the public by licensing individuals practicing barbering, with the intent of preventing harm to customers caused by tools and chemicals and ensuring the sanitary condition of shops. As defined by statute, the practice of barbering includes:

- cutting, razor cutting, styling, relaxing, body waving, shampooing, or coloring the hair;
- shaving or trimming the beard;
- massaging the face;
- designing, fitting, or cutting a hairpiece; or
- performing other similar procedures on the hair, beard, face, or hairpiece of the individual.

The board does not regulate the sale of wigs or hairpieces or more limited services such as shampooing only and similar activities. Barbers may provide the same services as cosmetologists except for esthetic and manicuring services. In comparison, cosmetologists offer all services that a barber offers except for shaving men with a razor or cutting men's nose or ear hairs. According to the board, approximately 5,450 licensed barbers and apprentices and almost 2,000 barbershops were operating in Maryland in fiscal 2008.

The board is housed within the Department of Labor, Licensing, and Regulation's (DLLR) Division of Occupational and Professional Licensing. DLLR provides staff for the board, which consists of an executive director (who must be a licensed senior cosmetologist or master barber), an assistant executive director, administrative personnel, and 12 authorized inspector positions (some of these positions are not filled). All of these individuals support both this board and the State Board of Cosmetologists.

Statutory and Regulatory Changes

Since the preliminary evaluation in 1998, only a few statutory changes have affected the board's operations. **Exhibit 1** provides an overview of those changes, which include authorization for inspectors for both the Board of Barbers and Board of Cosmetologists to issue citations and impose civil penalties. Chapter 392 of 2005, proposed by DLLR, replaces a system in which a licensee was notified of observed violations but did not have to pay any penalty if the board determined that the violation did not warrant a formal hearing. An informal conference occasionally has been required, however. (As discussed later in this report, Chapter 392 has not yet been implemented.) Legislation proposed in 2001 would have required the board to alter the requirements for barber education but failed.

Exhibit 1 Major Legislative Changes Since 1998 Evaluation

<u>Year</u>	<u>Chapter</u>	<u>Change</u>
1999	328	Extends the termination date of the board by 10 years to July 1, 2011.
2001	187	Authorizes the board to impose civil penalties against nonlicensees for practicing without a license.
2005	392	Authorizes board inspectors to issue citations to, and impose civil penalties on, licensees and permit holders for violations of laws and regulations.
2006	306	Authorizes the board to reinstate an expired barbershop permit, subject to a fee and satisfaction of renewal requirements.

Source: Laws of Maryland

Since the last sunset evaluation, the board has made minimal changes to the regulations governing licensees, as shown in **Exhibit 2**. One of the regulations – the establishment of a schedule of citation fines – followed the enactment of Chapter 392 of 2005 and is described in more detail under Discipline of Licensees. The most recent regulation, which established a fee for reinstatement of a barbershop permit, followed enactment of Chapter 306 of 2006, which authorized a new procedure to address expired permits.

Exhibit 2 Major Regulatory Changes Since 1998 Evaluation

<u>Year</u>	<u>Change</u>
1999	Establishing a 90-day deadline for the submission of apprentice reports and creating a penalty for noncompliance.
2000	Requiring barbershops to post laws and regulations, clarifying sanitation standards, and providing for exemption to regulation governing the size of sign lettering.
2002	Deleting references to “journey” barber as a category of licensure to conform to State statute. Allowing for late submission of apprentice reports at the board’s discretion.
2003	Providing for the use of a bilingual dictionary during the theory portion of the barber examination.
2006	Authorizing the board to reinstate an expired shop permit, subject to a fee and satisfaction of renewal requirements.
2007	Authorizing a schedule of civil citations for various violations.

Note: Regulations are listed according to the year in which they became effective.

Source: Code of Maryland Regulations

Long-term Board Vacancies Not Filled

The board consists of seven members, five of whom must be master barbers who have practiced continuously in the State for at least five years before appointment; the remaining two must represent consumers. Board members serve five-year terms and cannot serve more than two consecutive terms but must continue to serve until a successor is appointed. Two of the board’s members have served three years or more beyond their second term. All board positions are unpaid.

Over the last 17 years, the State Board of Barbers has periodically experienced difficulty in generating interest to fill board member vacancies – particularly the consumer member positions. Two positions (one industry and one consumer representative) have been vacant since 2005. All of the board positions were filled when the 1998 preliminary evaluation was conducted; however, these positions were vacant between November 1991 and August 1994. (The State

Board of Cosmetologists has also experienced this problem periodically.) In addition, one of the members (representing industry) has only attended two board meetings in the last three years. Under State law governing all boards and commissions, a board member who does not attend 50 percent of the meetings in 12 consecutive months is considered to be resigned unless the Governor deems the reasons for the absences to be satisfactory.

These vacancies mean that the board, which only meets quarterly, may not have quorum; which resulted in the cancellation of at least one meeting (2006). It also means that only four members are actively involved in regulating the industry.

Licensing Activity Steady

The barbering industry in Maryland has grown slightly since the last preliminary evaluation. In fiscal 2008, 6,550 licensed barbers, master barbers, registered apprentices, and permitted barbershops operated in the State, a 5 percent increase from the 1998 sunset evaluation, which reported 6,185 shops, licensees, and apprentices. Over the last six fiscal years, the level of licensing on a biennial basis (both new and renewals) has remained fairly steady, as shown in **Exhibit 3**, but renewal of barber licenses is the only area of real growth.

Exhibit 3						
State Board of Barbers Permits, Licenses, and Registrations – New and Renewal						
Fiscal 2003-2008						
<u>Type</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Barbershop Permit						
New	194	151	165	148	136	154
Renewal	434	375	448	372	422	386
Master Barber License						
New	47	43	30	37	36	55
Renewal	1,593	1,237	1,550	1,149	1,411	1,172
Barber License						
New	216	206	261	238	227	203
Renewal	789	755	910	861	1,023	1,029
Apprentice Registration						
New	175	171	147	158	138	155
Renewal	0	5	0	2	0	3
Total	3,448	2,945	3,511	2,965	3,393	3,157

Notes: Licenses are issued biennially so annual figures do not represent all licensees.
Apprentice registrations are valid for two years and can only be renewed with board approval.

Source: State Board of Barbers

The number of registered apprentices, a sign of future growth for the industry, fell sharply between fiscal 2004 and 2005 but appears to be rebounding. The number of master barbers who renew their license is slowly declining; however, the renewal activity for barbers is increasing. It is unclear how much of this is due to a possible generational shift versus the low passage rate for the master barber theory exam (less than 50 percent).

To obtain a license to provide barbering services, an individual must either complete 1,200 hours of training at a barber school or 2,250 hours of training as an apprentice and pass an examination. A master barber's license requires 15 months of experience as a licensed barber and passage of a board-approved exam. The main distinction between a barber's license and a master barber is that only a master barber may supervise an apprentice. The board may waive these requirements for a barber licensed in another state if that state has similar licensing and exam requirements and the barber is in good standing with the other state's board.

Barber Education

An individual who wishes to become a barber has two options for learning the trade – attend an approved school or serve as an apprentice under a master barber. Currently, 11 private and public barbering schools operate in Maryland, including one in a correctional facility. This is a slight decline from fiscal 2003, when 13 schools existed. The schools are concentrated in Baltimore and the Washington metropolitan area (primarily in Prince George's County), and one operates in Western Maryland (Hagerstown); no schools exist in Southern Maryland or on the Eastern Shore.

Oversight of the schools is divided. The Maryland State Board of Education is responsible for reviewing applications for new schools and issuing a certificate of approval for a school to operate, add new locations or programs, or change ownership. (The Maryland Higher Education Commission has delegated the authority to approve private career schools to the Secretary of Education.) The State Board of Barbers retains authority over sanitation inspections of the schools, as well as the contract with the exam vendor, including the content of the barber and master barber examination.

An individual who is at least 16 years old may register as an apprentice in lieu of enrolling in a barbering school if the individual has secured a sponsoring shop and receives board approval. The regulations require a master barber who supervises the apprentice to ensure that the apprentice receives at least 30 hours of training per week and receives the required theory and practical training. The barber must also file a monthly report to the board that states the progress of each apprentice in the shop. If the report is not received within 90 days, the apprentice will not receive credit for the training unless the board determines that there were legitimate circumstances. A master barber may supervise only one apprentice, and no more than three apprentice barbers may work in one shop. The shop cannot charge a fee for an operation performed entirely by an apprentice.

Exam Failure Rates Are High

All applicants for a barber license must pass an exam, which consists of a practical and theory portion. A 70 percent score is required to pass the theory portion, which, according to the board's regulations, "embrace the subjects of barber science found in a basic textbook" and may include questions on disease, laws and regulations, sanitation, chemical applications, and hair techniques. For the practical portion, the candidate must be able to demonstrate and explain a haircut, cold wave (a process similar to a permanent), and shave. An exam score is valid for one year.

Over half of the individuals who take the barber exam are failing the theory portion. The passage rate has not exceeded 48 percent over the last six fiscal years, as shown in **Exhibit 4**. Reasons provided by board members for this failure rate include:

- inadequate textbooks available for apprentices;
- poor preparation by some apprentices;
- poor supervision by some master barbers; and
- content of the exam (too many questions related to chemicals).

Data regarding the passage/failure rate do not currently allow for comparison between the passage rate of barber school graduates to apprentices; however, board members advised that the failure rate is much higher for apprentices. The board provides all apprentices with a package of material regarding the program and the exam at the time of registration. In 2008 the board conducted, with the Board of Cosmetologists, two voluntary workshops to assist apprentices with training and exam preparation. No barber apprentices attended either workshop. The high failure rate creates a serious barrier to legal entry into the industry and, combined with the lack of inspectors, fosters the potential for widespread unlicensed practice.

The passage rate for the master barber exam is also low, which could lead to a shortage of barbers who are eligible to supervise apprentices. The board requested a review of the exam questions but has not adopted any changes. Board members indicated they would seek changes after DLLR accepts a bid for the exam vendor contract, which is currently out for bid.

The exam passage rate and possible inadequate preparation by apprentice barbers raises questions about the apprenticeship program. The board coordinator only receives about half of the required reports for active registered apprentices on time. Another concern is the high level of requests for renewals of apprentice registrations (allowing an apprentice to serve another two-year apprenticeship). The program is intended to provide an alternative to barbering school so that an individual can become licensed; the high failure rate for the licensing exam and the extensions suggest potential abuse of the program as a way to employ unlicensed individuals.

Exhibit 4
Passage Rate for Barber License Exam
Calendar 2003-2008

<u>Year</u>	<u>Exam Type</u>	<u>Number Taking</u>	<u>Number Passing</u>	<u>Passage Rate</u>
2003	Practical	194	172	89%
	Theory	440	136	31%
2004	Practical	263	236	90%
	Theory	582	238	41%
2005	Practical	317	273	86%
	Theory	558	235	42%
2006	Practical	289	233	81%
	Theory	499	238	48%
2007	Practical	253	215	85%
	Theory	452	213	47%
2008	Practical	156	135	87%
	Theory	279	129	46%

Source: Thomson Prometric (exam vendor)

Discipline of Licensees

Citation Law Not Implemented

In 2005 the General Assembly authorized the board's inspectors to issue citations to licensees for certain violations. The licensee has the option of sending a payment or requesting a hearing before the board. Failure to pay or contest the penalty associated with the citation within 60 days results in doubling of the penalty and potential license suspension or revocation. The maximum fine for all violations cited against an establishment is \$300 a day. The board has developed a schedule of penalties to implement the law, as shown in **Exhibit 5**.

However, this citation program, which applies to both cosmetology and barber licensees, has yet to be implemented. The program is intended to relieve the board and staff of the workload associated with scheduling informal conferences or hearings and executing orders for

minor violations. The department initially decided to implement an electronic citation system. Due to problems with implementation, DLLR has since decided to use a mail-in citation program instead and anticipates that it will be in place by May 1, 2009.

In the absence of an active citation program, the board generally holds an informal conference with the licensee for less serious violations to educate the licensee. Given the board's limited schedule, these informal conferences may not involve the entire board. More serious violations require a formal hearing before the full board. (The board only assesses a penalty if a formal hearing is held.) Over the last six fiscal years, the board has only denied one license and suspended one license; none has been revoked. This may indicate that the proportion of serious disciplinary cases is low, or it may also indicate how aggressively the board pursues disciplinary cases.

Exhibit 5

Citation Schedule for Barber Violations

\$50 Penalty

- Failure to meet various, specified sanitary or cleanliness standards (failure to wash hands, absence of hot or cold running water, etc.)

\$100 - \$150 Penalty

- Presence of an animal
- Improper storage or disinfection of implements
- No photo on license

\$300 Penalty

- Operating without a license/permit or beyond the scope of a license
- Improper removal of corns, calluses
- Sale of used hairpieces

Formal Hearing

- Unauthorized services or performance of services by operator with infectious disease
- Interference with inspector
- Improper procedure for cut or blood-related incidents
- Use of certain prohibited devices

Source: Code of Maryland Regulations

Disciplinary Actions Now Publicized

In September 2008, the board agreed to post on its web site disciplinary actions taken against licensees that resulted in a formal order against the licensee. The posting will include actions taken during the last four calendar years and only the more serious violations, such as providing unauthorized services, that require a formal hearing. The State Board of Cosmetologists has adopted an identical procedure. The posting, which boards such as the State Real Estate Commission also conduct, is intended to educate consumers and act as a deterrent.

Consumer Complaint Volume Is Low

State law requires that a complaint regarding a barber or barbershop be submitted in writing and mailed or personally delivered and that the board notify the licensee of the complaint. The board now docketed anonymous complaints but does not take action on them. If the complaint relates to a potential violation related to sanitation or unlicensed activity, the board assigns an inspector to investigate. Other types of complaints, such as dissatisfaction with services, are directly assigned to a complaint panel consisting of one or two board members and an assistant Attorney General. The complaint panel may dismiss the complaint, request a re-inspection, recommend an informal conference, or recommend formal charges be brought by the Attorney General's Office.

As shown in **Exhibit 6**, the number of complaints submitted to the board has fluctuated over the past six fiscal years, but volume is still quite low – representing less than 1 percent of licensees. The number of new complaints more than doubled between fiscal 2003 and 2004, then remained fairly steady for the next three years, and began an upswing in fiscal 2007 as the board began to record anonymous complaints. The number of pending complaints (those not resolved by the board in the previous fiscal year), has risen correspondingly. One quarter of the complaints between fiscal 2006 and 2007 are still pending or unresolved.

In most years, sanitation was not a common complaint; the majority of the complaints related to licensing, either total absence of a license or operating outside the scope of the license. The exhibit does not include routine violations that are cited by a board inspector, including any board action on routine violations. Many of the complaints received by the board are closed with no action, with the remainder of cases addressed through informal or formal board action or a consent order.

Exhibit 6
Barber Consumer Complaint History
Fiscal 2003-2008

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Complaints Received	6	13	18	15	24	23
<u>Type of Complaint</u>						
Operating without a License	3	11	12	11	17	15
Operating outside Scope of License	0	1	1	0	0	0
Sanitation	3	4	3	0	1	6
Dissatisfaction with Service	0	1	0	0	0	0
Monetary/Fraud	0	0	1	1	4	2
Not Identified	0	0	1	3	2	0
<u>Board Action</u>						
Dismissed – Unsubstantiated	5	13	15	6	13	3
Dismissed – Other	1	0	1	3	2	0
Consent Order	0	0	1	0	3	1
Formal Hearing	0	0	0	1	1	0
Informal Hearing	0	0	0	0	0	1
No Disposition/Still Under Investigation	0	0	1	5	5	18

Notes:

The board changed its complaint tracking procedure to include anonymous complaints, which increased the number of annual complaints in fiscal 2007 and 2008.

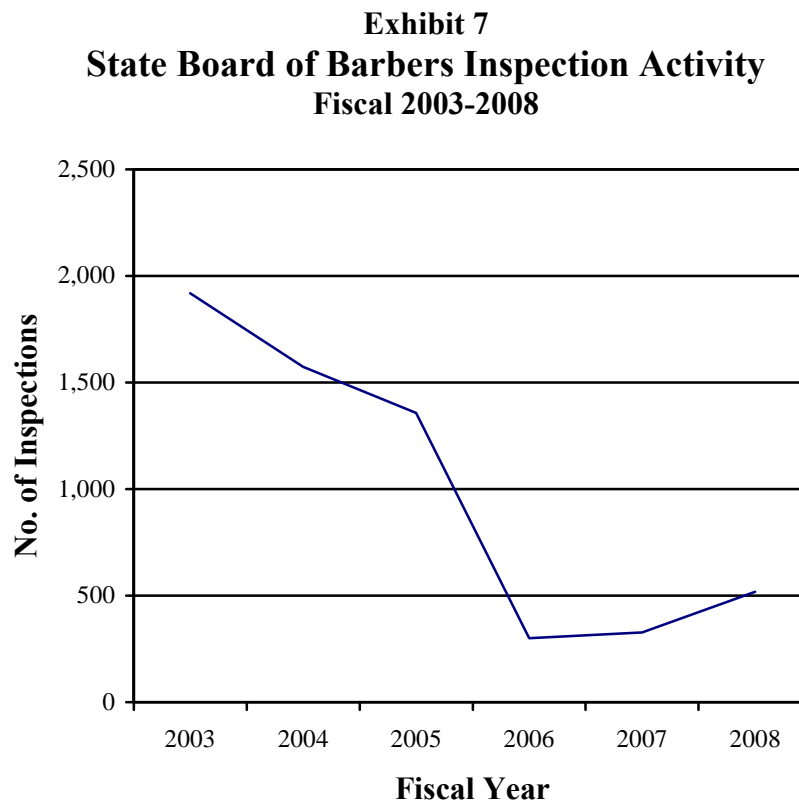
A complaint may include more than one type; therefore, the total number of complaints in a fiscal year may not correspond with the numbers listed below the total.

Dismissed complaints include those that were not within the board's jurisdiction.

Source: State Board of Barbers

Significant Drop in Inspections – Some Turnaround Expected

As shown in **Exhibit 7**, the number of inspections declined dramatically between fiscal 2003 (1,919 inspections) and 2008 (518). This decline corresponds to a drop in the number of inspectors on staff from 11 at the end of fiscal 2003 to just 2 in fiscal 2007. This drop is even greater compared to the number of inspectors (20) employed when the 1998 preliminary evaluation was conducted.



Source: State Board of Barbers

Inspection activity began an upswing in fiscal 2008 and will likely continue to increase as DLLR has recently filled some vacancies and has funding available to fill additional positions, for an authorized total of 12 inspectors. In fiscal 2008, eight inspectors worked for both the State Board of Barbers and the Board of Cosmetologists. The board altered the experience requirement for inspectors to allow substitution of industry experience for investigative experience, which has been successful in attracting more applicants; however, turnover remains a problem. Most of these positions are now contractual (up to \$93 per diem), which may account for some of the turnover as some individuals prefer a more reliable source of income in the long term.

The fluctuation in the number of inspectors may translate to a significant level of violations that are not being detected, which raises consumer protection concerns, particularly if unlicensed or poorly trained individuals are providing services. (The majority of complaints to this board relate to individuals operating without a license.) While the barbering industry in Maryland has not experienced significant growth, the cosmetology industry is expanding rapidly and that expansion is expected to continue. A consistent level of inspection support will be needed.

Board Revenues Exceed Costs

The State Board of Barbers is funded by general fund appropriations. Revenues are generated by license, renewal, and inspection fees as well as inspection fines, which are credited to the general fund. Examination fees are paid to the vendor; the board does not receive any revenue from exams. As shown in **Exhibit 8**, the board's revenues consistently exceed total direct and attributable indirect costs, with excess revenues ranging from about 60 percent to almost 100 percent in recent years.

Exhibit 8
Fiscal History of the State Board of Barbers
Fiscal 2003-2008

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>
Total Attributable Costs	\$92,722	\$101,608	\$140,263	\$96,908	\$137,760	\$106,663
Direct Costs	92,722	62,283	77,846	60,428	87,866	64,126
Indirect Costs	N/A	39,325	62,777	36,480	49,894	42,537
Revenues	218,460	187,777	223,923	192,143	218,450	203,210
Excess Revenue/(Gap)	\$125,738	\$86,169	\$83,660	\$95,325	\$80,690	\$96,547

Notes: Indirect costs in fiscal 2004 only reflect cost allocation of services provided to the board by the Division of Occupational and Professional Licensing. Indirect costs from fiscal 2005 through 2008 reflect both division cost allocation and other departmental indirect costs.

Source: Department of Labor, Licensing, and Regulation

Current fees charged by the board are shown in **Exhibit 9**. In 1991 the board was authorized to set fees by regulation, but it has not made any changes since 1992.

The board's approved budget provides authority for two permanent inspector positions; the remaining inspectors are contractual. The board's five approved administrative staff positions are charged to the Board of Cosmetologists. Based on the current and expected level of licensing, it appears that the State Board of Barbers' licensees and consumers may be able to be served by the administrative staff; however, the State Board of Cosmetologists' licensees likely cannot.

Exhibit 9
Schedule of Fees – State Board of Barbers

<u>License Type</u>	<u>Original/Renewal Fee</u>	<u>Reinstatement Fee</u>	<u>Examination Fee</u>
Barber	\$50	\$50	\$75
Master Barber	50	50	45
Shop Owner	50	50	N/A
Apprentice	10	None	N/A

Notes: An examination fee of \$45 is required to retake a portion of the exam. A shop owner must also pay a \$150 inspection fee for a pre-opening inspection.

Source: Code of Maryland Regulations: 09.16.01.08

Recommendation

There is a continued need for regulation of the barbering industry in the State to protect the public. **However, given the concerns raised in this evaluation, the Department of Legislative Services recommends a full evaluation of the State Board of Barbers to address the following issues:**

- **Board Appointments:** The continued vacancies in board membership require immediate action by the Secretary of Labor, Licensing, and Regulation and the Office of the Governor. The full evaluation would evaluate other options related to board membership such as reducing the size of the board and consolidation of this board with the State Board of Cosmetologists.

- ***Finances and Staffing:*** The level of administrative staff is not sufficient to handle licensing, complaints, and other issues for both the barber and cosmetology boards. The significant excess revenues for this board could accommodate the hiring of at least one additional administrative position. And, as noted in this report, the inspection staffing level for both boards has not been consistent – a permanent viable approach is needed to ensure that public health is adequately protected, particularly if unlicensed operators are performing barbering services. As fees have not been raised since 1992, the full evaluation would consider whether a fee increase to support hiring of additional staff is necessary. Any such fee increase may not need to be significant, depending on the revenue that is raised when the citation program becomes active.
- ***Exam Oversight:*** DLS has serious concerns about the failure rate on the barber and master barber exam and the limited action taken so far to correct it. Problems with the prior exam vendor suggest the need for additional oversight and/or contractual safeguards. The full evaluation would evaluate ways to enhance oversight of the exam. For example, an additional administrative position could be useful in monitoring the exam process and the contract with the exam vendor.
- ***Disciplinary Actions:*** The full evaluation would assess early implementation of the citation program in conjunction with the anticipated upswing in inspections. Additional review of consumer complaint data and related actions would also be undertaken.
- ***Education and Apprenticeships:*** The oversight of apprentices by master barbers appears to be inconsistent – the scope of the reporting problem should be examined further to ensure that apprentices are working the required number of hours. The full evaluation would assess the training program in the State and consider changes to the current process; for example, increasing the penalty on a master barber for failure to report, specifying criteria for approval of requests for apprenticeship registration renewals and/or prohibiting more than one renewal per apprentice, and requiring annual participation by both apprentices and barbers in a training workshop to ensure adequate preparation for the exam and understanding of the rules and regulations governing apprenticeships
- ***Statutory Barriers or Inconsistencies:*** The full evaluation would also address whether statute needs to be updated to reflect current practice as well as whether statute limits the board's ability to effectively handle complaints and other issues. Very few statutory changes have affected the board in recent years.

Appendix 1. Written Comments of the State Board of Barbers

DLLR

STATE OF MARYLAND

DEPARTMENT OF LABOR, LICENSING AND REGULATION

MARTIN O'MALLEY, Governor
ANTHONY G. BROWN, Lt. Governor
THOMAS E. PEREZ, Secretary

Division of Occupational and Professional Licensing
Stanley J. Botts, Commissioner

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December 2, 2008

Laura J. McCarty
Legislative Manager
Office of Policy Analysis
Department of Legislative Services
90 State Circle
Annapolis, Maryland 21401-1991

Dear Ms. McCarty:

On behalf of the Department of Labor Licensing and Regulations and the Board of Barbers ("the Board") I wish to acknowledge receipt of your letter and the draft copy of the Preliminary Evaluation of the State Board of Barbers.

My staff has provided your senior legislative analyst, Ann Marie Maloney with factual corrections of the report. My staff and I would like to express our appreciation for the candor and professionalism provided by Ms. Maloney and your office. We look forward to working with the Legislative staff addressing issues that were raised in the report as well as future issues which may arise.

If your office should require additional information or a clarification as to the corrections, please do not hesitate to contact my assistant, Brian Logan at (410)230-6194.

Sincerely,



Robert Wood
Executive Director
Maryland State Board of Barbers

Cc: Secretary Thomas E. Perez
Commissioner Stan Botts
Deputy Commissioner Harry Loleas
Board of Barbers President John O. Gatton, Sr.

