

The Florida
Electrolysis Council

Draft Minutes

January 25, 2016

Telephone Conference Call

1-888-670-3525

Participant Code 7811783909 #

Jolynn Greenhalgh, DNP, ARNP, RE
Chair

Lina Grillo, RE
Vice-Chair

**DEPARTMENT OF HEALTH
ELECTROLYSIS COUNCIL
GENERAL BUSINESS MEETING
January 25, 2016
2:00 p. m. EST
CONFERENCE CALL
1-888-670-3525**

When prompted, enter the following conference code number: **7811783909**,
followed by the #sign.

Participants in this public meeting should be aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the council's website.

2:00 p.m.

Call to Order – General Business Meeting

Ms. Jolynn Greenhalgh, Council Chair, called the meeting to order at approximately 2:00 p.m. Those present for all or part of the meeting were as follows below.

MEMBERS PRESENT

Jolynn Greenhalgh, DNP, ARNP, RE, Chair
Lina Grillo, RE, Vice-Chair
Nilsa Lapeyrouse, RE
Sarah Gray, Esquire
Erin Wiedemer, PMP

STAFF PRESENT

Allen Hall, Executive Director
Anna King, Program Administrator
Kimberly Thomas, Regulatory Specialist II

ASSISTANT ATTORNEY GENERAL

Lynette Norr, Esquire

Additional Persons Present

Jon Pellet, Esquire
Judy Adams, RE

ADMINISTRATIVE PROCEEDINGS

NEW COUNCIL MEMBER WELCOME

1. Sarah Gray, Esquire & Erin Wiedemer, PMP – Consumer Members

Ms. Greenhalgh welcomed new consumer members, Ms. Gray and Ms. Wiedemer, to the Council.

ANTI-TRUST PRESENTATION

2. Lynette Norr, Assistant Attorney General

This item was tabled for presentation by Ms. Norr during the April 2016 meeting.

INDIVIDUAL CONSIDERATION

3. Kathleen Balbi – Endorsement Applicant

Ms. Balbi was present and not represented by legal counsel.

Ms. Balbi submitted an application for licensure by Endorsement of her Rhode Island Electrologist License. The Council reviewed the regulations for licensure in Rhode Island to determine equivalence to Florida's regulations.

Following discussion, Ms. Jolynn Greenhalgh moved to approve the application. Ms. Lina Grillo seconded the motion, which carried 5/0.

INDIVIDUAL CONSIDERATION

4. Osmani Enkelejda – Exam Applicant

Ms. Enkelejda was present and not represented by legal counsel.

Ms. Enkelejda submitted an application for licensure by Exam. Upon review, the Council found that the applicant did not have sufficient hours of electrolysis training to qualify for the licensure examination. It was recommended that the applicant contact an approved 320-hour electrolysis training school to learn which, if any, of her esthetics course credits might be transferrable for completion of the required training.

Following discussion, the applicant stated that she would like to withdraw her application for licensure by examination.

At this point in the meeting, the Council Chair requested that Tab 20 be taken up for consideration.

ADDENDUM

20. Lauren Beuparlant – Exam Applicant

Ms. Beuparlant was not present.

Ms. Beuparlant submitted an application for licensure by Exam. Upon review, the Council found that the applicant did not have sufficient hours of electrolysis training to qualify for the licensure examination. It was recommended that the applicant contact an approved 320-hour electrolysis training school to learn which, if any, of her esthetics course credits might be transferrable for completion of the required training.

Ms. Greenhalgh moved to deny Ms. Beuparlant's application by examination, with opportunity to withdraw within 15 days of the filing of the denial order (NOID). Ms. Lapeyrouse seconded the motion, which carried 5/0.

30-HOUR LIGHT-BASED & LASER HAIR REMOVAL CONTINUING EDUCATION (CE) COURSE PROVIDER APPLICANTS

5. Stephanie McAllister – 30 Hour Laser Hair Removal CE Provider Applicant

The Council reviewed the 30-hour continuing education provider application of Stephanie McAllister. Following discussion, Ms. Jolynn Greenhalgh moved to approve the application. Ms. Lina Grillo seconded the motion, which carried 5/0.

APPLICANT CERTIFICATION LIST

6. Examination Applicants

The Examination Candidate Ratification List was presented to the Council for approval.

Ms. Jolynn Greenhalgh moved to ratify the revised list of examination candidates. Ms. Nilsa Lapeyrouse seconded the motion, which carried 5/0.

RULES REVIEW AND DEVELOPMENT

7. 64B8-51.001 Manner of Application

During the November 2015 meeting, the Council approved revisions to the Electrologist licensure application along with the rule modification incorporating the updated form. During the December 2015 Board of Medicine meeting, the rule and application were tabled for further consideration at a future meeting.

The Council reviewed and discussed the following proposed rule language presented by Ms. Norr in conjunction with changes to the Electrologist licensure application proposed by board staff:

64B8-51.001 Manner of Application.

(1) All persons applying for licensure as an electrologist shall submit a signed application to the Executive Director of the Council on forms provided by the Council and approved and incorporated herein by reference by the Board as Form DH-MQA 1164, (revised ~~11/15~~ ~~6/14~~), Electrologist Application, which can be accessed through <http://www.flrules.org/Gateway/reference.asp?No=Ref-04744> or <http://www.floridahealth.gov/licensing-and-regulation/electrolysis/>. The initial application must be accompanied by the application fee, as set forth in Rule 64B8-51.007, F.A.C.

(2) All applications must include an official transcript from a school of electrology which identifies the credits taken by home study or correspondence courses and those taken in classroom settings.

~~(3) All applications for licensure by examination shall be filed with the Executive Director of the Council and shall be completed at least 75 days prior to the examination. Applications filed after the deadline may be considered at the next meeting of the Council.~~

Rulemaking Authority 478.43(1), (4) FS. Law Implemented 456.0635, 478.45, 478.46, 478.47, 478.53, 478.55 FS. History—New 5-31-93, Formerly 21M-76.001, Amended 11-10-93, Formerly 61F6-76.001, Amended 5-29-96, Formerly 59R-51.001, Amended 12-23-97, 5-28-00, 8-9-01, 2-15-04, 10-31-05, 2-11-08, 5-7-09, 5-13-10, 5-14-13, 11-27-14.

Following discussion, Ms. Greenhalgh moved to approved the rule language and revised application form. Ms. Lapeyrouse seconded the motion, which carried 5/0.

Ms. Greenhalgh moved the rule change would not have an adverse impact on small business nor have an economic impact on government or any other entity in excess of \$200,000 within one year of the rule being implemented. Ms. Lapeyrouse seconded the motion, which carried 5/0.

REPORT OF ASSISTANT ATTORNEY GENERAL – Lynette Norr

8. Rule Status Report

- **64B8-51.001 – Manner of Application**

This rule was reviewed and acted on under tab 7.

- **64B8-51.006 – Rule Governing Licensure and Inspection of Electrology Facilities**

No specific action required.

- **64B8-51.007 Fees for Examination, Examination Review and Initial Licensing**

No specific action required.

- **64B8-52.004 Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction.**

Following discussion, it was agreed that the following would be completed for further discussion during the April meeting:

- Review of Paragraph 1 of the rule to determine which subjects might be done via online/home study;
- Gathering of curriculum requirements for other professions that already include online/home study options; and
- Surveying the electrolysis training schools for their feedback.

- **64B8-53.001 Requirements for Electrolysis Training Programs Approved by the Board**

No specific action required.

- **64B8-53.002 Curriculum Standards for Electrolysis Training Programs.**

No specific action required.

- **64B8-53.003 Required Equipment for Electrolysis Training Programs**

No specific action required.

- **64B8-54.0041 Special Assessment Fee**

The repeal of this rule was approved by the Board of Medicine on December 4, 2015 and is continuing through the rule promulgation process.

- **64B8-55.001 Disciplinary Guidelines.**

To be discussed at a future meeting.

- **64B8-55.002 Citations.**

No specific action required.

- **64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices.**

No specific action required.

9. Council Chair - Jolynn Greenhalgh, DNP, ARNP, RE Healthiest Weight Update

Ms. Greenhalgh provided a brief update on the Healthiest Weight campaign.

10. Executive Director - Allen Hall

- Cash Balance Report
- Expenditures by Function

Informational items did not require specific action from the Council. Allen mentioned pending legislation to address removal of charges not directly related to operation of the profession.

NEW BUSINESS

11. 2016 Council Member Elections

The Council elected the following members for the offices indicated.

- Chair: Jolynn Greenhalgh
- Vice Chair: Lina Grillo
- Unlicensed Activity Liaison: Sarah Gray
- Budget Liaison: Jolynn Greenhalgh
- Education Liaison: Nilsa Lapeyrouse
- Legislative Liaison: Jolynn Greenhaigh
- Healthy Weight Liaison: Jolynn Greenhaigh

12. 2016 Delegation of Authority

Ms. Greenhalgh moved to approve the Delegation of Authority as presented, Ms. Grillo seconded the motion, which carried 5/0.

13. 2016 Conviction Records Guidelines

Ms. Grillo moved to approve the Conviction Records Guidelines as presented. Ms. Greenhalgh seconded the motion, which carried 5/0.

OLD BUSINESS

14. November 9, 2015 Electrolysis Council Meeting Minutes

Ms. Greenhalgh moved to approve the November 9, 2015 Electrolysis Council meeting minutes. Ms. Grillo seconded the motion, which carried 5/0.

OTHER BUSINESS AND INFORMATION

15. 1st District Court of Appeal Opinion re: Board of Medicine Declaratory Statement on CME Certification

Informational Item.

16. Status of CS/SB 504 & HB 591 Laser Hair Removal

Mr. Hall provided a brief status on the movement of the Senate bill, which has passed through its assigned committees.

17. Anti-Trust Opinion re: Texas Medical Board

Informational Item.

18. December 3, 2015 Florida Board of Medicine Meeting Minutes

Informational Item.

19. December 4, 2015 Florida Board of Medicine Meeting Minutes

Informational Item.

ADJOURNMENT

The meeting adjourned at 3:48 p.m.