DRAFT Minutes
January 13, 2020
Telephone Conference Call 1-888-585-9008
Participant Code 564-341-766 #

Jolynn Greenhalgh, DNP, APRN, RE, Chair
Sarah Gray, Esquire, Vice-Chair
10:00 a.m. (ET)  
Call to Order – General Business Meeting

Ms. Jolynn Greenhalgh, Chair, called the general business meeting to order at approximately 10:04 a.m. Those present for all or part of the meeting included the following:

Members Present  
Ms. Jolynn Greenhalgh, DNP, APRN, RE, Chair  
Ms. Sarah Gray, Esquire  
Ms. Erin Wiedemer, PMP  
Ms. Rosanna Bermejo, RE  

Staff Present  
Allen Hall, Executive Director  
Anna King, Program Administrator

Assistant Attorney General  
Rachelle Munson, Esquire

Additional Persons Present  
Ms. Judy Adams, RE  
Mr. Ronald Dilworth, ISU Administrator  
Mr. Gregory Ramer, Council Consumer  
Member Candidate

PERSONAL APPEARANCE PURSUANT TO SECTION 456.013(3)(c) F.S.

1. Haneen Kahala, Examination

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

Ms. Kahala’s application was before the Council for review of documentation submitted as proof of completion of a high school or a high school equivalency diploma. During the October 2019 meeting of the Council, it was determined Ms. Kahala would be required to make a personal appearance to further discuss her fulfillment of this requirement.

Following discussion, Ms. Greenhalgh moved to approve the application for licensure. Ms. Gray seconded the motion, which carried 4/0.
INDIVIDUAL CONSIDERATIONS

2. Oksana Pokrasov, Endorsement

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

Ms. Pokrasov applied for Florida Electrologist licensure by Endorsement of her New Jersey Electrologist License issued in April 2008. The application and regulations were presented to the Council to determine whether the 2008 Electrologist licensure requirements in New Jersey were substantially equivalent to those in Florida.

Following discussion, Ms. Greenhalgh moved to approve the application for licensure. Ms. Gray seconded the motion, which carried 4/0.

3. Ritta Hanna, Examination

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

Ms. Hanna appeared before the Council for consideration of her application by Examination. Ms. Hanna’s application became complete for action by the Council on October 4, 2019. Ms. Hanna waived the 90-days for Board action on her application on December 23, 2019. The Council Chair required her personal appearance at the instant meeting on January 1, 2020.

Following discussion, Ms. Greenhalgh moved to approve the application for licensure. Ms. Gray seconded the motion, which carried 4/0.

320-HOUR COMBINED ELECTROLYSIS TRAINING PROGRAM

4. Boca Beauty Academy - Parkland

Boca Beauty Academy representatives, Mr. David Colozzi, Ms. Guadalupe Herrera and Ms. Roxana Spirea were present.

Boca Beauty Academy, Parkland Campus, submitted documentation for consideration as a 320-Hour Combined Electrolysis Training Program, pursuant to Rule Chapter 64B8-53, F.A.C., Electrolysis Training Programs. Boca Beauty’s CIE license is pending the Council’s approval of the training program. The Council was asked to consider approval on the issuance of the CIE license, as required by Rule 64B8-53.001(1), F.A.C.

Following discussion, Ms. Greenhalgh moved to approve the 320-Hour Combined Electrolysis Training Program. Ms. Greenhalgh then amended the motion to approve the program contingent upon the issuance of the CIE license and submission of same to the Council Office within 6 months. Ms. Gray seconded the amended motion, which carried 4/0.

LICENSURE RATIFICATION LIST

5. Licensed Electrologists

The Examination Candidate Ratification List was presented to the Council for approval.
Ms. Greenhalgh moved to approve the list of examination candidates. Ms. Gray seconded the motion, which carried 4/0.

At this point in the meeting, the Chair re-ordered the agenda for discussion on Tabs 13-17.

NEW BUSINESS

13. Council Member Vacancies

The Council was advised of two (2) consumer vacancies and one (1) professional member vacancy on the Council and efforts to fill same. The terms of Consumer Members, Ms. Sarah Gray and Ms. Erin Wiedemer, expired on December 3, 2019. As of December 27, 2019, Ms. Wiedemer notified her service will officially end after the January 13, 2020 meeting.

The Council was presented with Consumer Member applications submitted by the following:

- Ms. Sarah Gray, Esquire
- Mr. Gregory Ramer

Mr. Gregory Ramer was present. Following discussion, the Council took the following actions.

MOTION:
Ms. Greenhalgh moved to approve Ms. Sarah Gray’s re-appointment application for recommendation to the Florida Board of Medicine. Ms. Wiedemer seconded the motion, which carried 3/0. Ms. Gray abstained from voting.

MOTION:
Ms. Greenhalgh moved to approve Mr. Gregory Ramer’s appointment application for recommendation to the Florida Board of Medicine. Ms. Gray seconded the motion, which carried 4/0.

Ms. Gray and Mr. Ramer’s applications will be submitted for appointment consideration at the next scheduled Board of Medicine meeting.

14. 2020 Council Officer Elections

Ms. Jolynn moved to approve the following persons nominated for 2020 Council officers.

<table>
<thead>
<tr>
<th>Position</th>
<th>Nominee</th>
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<tbody>
<tr>
<td>Council Chair</td>
<td>Jolynn Greenhalgh</td>
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<tr>
<td>Council Vice Chair</td>
<td>Sarah Gray</td>
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<tr>
<td>Unlicensed Activity Liaison</td>
<td>Sarah Gray</td>
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<tr>
<td>Budget Liaison</td>
<td>Jolynn Greenhalgh</td>
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<tr>
<td>Education Liaison</td>
<td>Rosanna Bermejo</td>
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<tr>
<td>Legislative Liaison</td>
<td>Jolynn Greenhalgh</td>
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Ms. Gray seconded the motion, which carried 4/0.
15. 2020 Conviction Record Guidelines

The Conviction Record Guidelines, reviewed and approved by the Boards/Councils annually, are used by staff to assist in determining which licensure applications require individual consideration at the quarterly meetings.

Following discussion, Ms. Greenhalgh moved to approve the 2020 Conviction Record Guidelines. Ms. Gray seconded the motion, which carried 4/0.

16. 2020 Delegation of Authority

The Delegation of Authority, reviewed and approved annually, facilitates administrative efficiency and documents when individuals or entities have been delegated to act on behalf of a Board/Council.

Following discussion, Ms. Greenhalgh moved to approve the 2020 Delegation of Authority. Ms. Gray seconded the motion, which carried 4/0.

17. 2021 Proposed Council Meeting Dates

The following dates were presented for the Council’s consideration.

- January 11
- April 19
- July 12
- October 4

Following discussion, Ms. Greenhalgh moved to approve the 2021 Council Meeting Dates. Ms. Gray seconded the motion, which carried 4/0. Times for these meetings will be discussed no later than the October 30, 2020 meeting.

Ms. Gray left the conference call after voting on this agenda item. Thereafter, the Chair took up Tab 6 of the agenda.

RULES REVIEW AND DEVELOPMENT

6. Rule 64B8-55, F.A.C., Discipline & Licensure Restrictions

During the October 2019 Council Meeting, the Council determined to have its disciplinary guidelines reviewed to ensure any updates resulting from other rule changes are reflected in same. Ms. Munson advised she was currently reviewing and will present draft rule language to the Council at the April 2020 meeting. Ms. Munson asked whether there were any additional items the Council would like to consider.

Ms. Greenhalgh reiterated the need to look at the following when drafting updates for the disciplinary guidelines: updated electrolysis facility inspection requirements and elimination of the professional liability requirement.

OTHER: Ms. Judy Adams, RE, addressed the Council during this discussion, stating she would like the Council to take a second look at eliminating the Certified Medical Electrologist (CME) requirements for all Electrologists desiring to offer laser and light-based hair removal services.
At this point in the meeting, the Chair took up review of Tabs 8 and 9.

8. Rule Status Report

Ms. Munson presented the following rule status report.

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Rule Title</th>
<th>Dates Rule Language Voted on by Council</th>
<th>Date Rule Language Approved by Board</th>
<th>Date Sent to OFARR</th>
<th>Rule Development Published</th>
<th>Notice Published</th>
<th>Adopted</th>
<th>Effective</th>
</tr>
</thead>
<tbody>
<tr>
<td>64B8-51.001</td>
<td>Manner of Application</td>
<td>07/01/19</td>
<td>2/08/19 08/02/19</td>
<td>2/22/19 (RD)</td>
<td>09/11/19 Vol. 45/No.177</td>
<td>10/14/19</td>
<td>11/03/19</td>
<td></td>
</tr>
<tr>
<td>64B8-51.006</td>
<td>Rule Governing Licensure and Inspection of Electrology Facilities</td>
<td>07/01/19</td>
<td>2/08/19 08/02/19</td>
<td>12/10/18 (RD)</td>
<td>12/18/18 (RD) Vol. 44/244</td>
<td>12/11/19</td>
<td>12/31/19</td>
<td></td>
</tr>
<tr>
<td>64B8-52.003</td>
<td>Procedure for Approval of Attendance at Continuing Education Courses</td>
<td>07/01/19</td>
<td>08/02/19</td>
<td>7/17/18 (RD) 08/26/19(RN)</td>
<td>7/25/18 (RD) Vol. 44/144</td>
<td>12/16/19</td>
<td>01/05/19</td>
<td></td>
</tr>
<tr>
<td>64B8-56.002</td>
<td>Equipment and Devices; Protocols for Laser and Light-Based Devices</td>
<td>08/02/19</td>
<td>08/02/19</td>
<td>09/09/19 Vol. 45/173</td>
<td>09/20/19 Vol. 45/184</td>
<td>10/21/19</td>
<td>11/10/19</td>
<td></td>
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Ms. Munson presented correspondence from Governor Ron DeSantis providing notice of changes to OFARR and rulemaking procedures. Noted was the new deadline of September 1st for submission of annual regulatory plans to OFARR as well as the need to include a sunset provision in all proposed or amended rules unless otherwise directed by applicable law.
At this point in the meeting, the Chair took up Tab 7 of the agenda.

7. Discussion: Questions re: Training Program Rules & Requirements

The Council reviewed and provided feedback on the following questions regarding training program requirements to determine whether rule development is needed to provide clarification.

Any rules determined to need further clarification will be presented at a future meeting.

**Question 1:** Must training programs have the laser and light-based machines for the hands-on portion of the training on campus at “all times”, or, may the equipment be brought on site “only” when the hands-on training is to be conducted & for initial and routine facility inspections?

Ms. Adams addressed the Council to indicate support for having all equipment on site for reference throughout the 320-Hour pre-licensure electrolysis training program. Ms. Adams mentioned the requirements for the laser equipment should be no different than that of having the other required equipment continuously on site. Lastly, Ms. Adams noted that used laser machines could serve as an affordable alternative to purchasing new machines.

Ms. Greenhalgh suggested the following change to Rule 64B8-53.001(6), F.A.C.:

**64B8-53.001 General Requirements for Pre-licensure Electrolysis Training Programs.**

A pre-licensure electrolysis training program must demonstrate that it will comply with the following general requirements in order to be approved by the Council:

(6) All students **in the clinical application phase** of an electrolysis training program, as described in subsection 64B8-53.002(2), F.A.C., shall have access to the equipment needed for the procedure being taught.

**Rulemaking Authority 478.43(1), (4) FS. Law Implemented 478.43(4), 478.45(1)(e), 478.50(4)(b) FS. History–New 9-29-93, Formerly 61F6-78.001, Amended 6-19-96, Formerly 59R-53.001, Amended 11-13-97, 2-15-07, 2-15-17.**

**Question 2:** Are training program instructors required to hold an active Electrologist license and have met laser and light-based hair removal training requirements to be approved?

Ms. Greenhalgh suggested the Council amend Rule 64B8-53.001(9)(c), F.A.C. to specify licensure and experience training requirements for 320-Hour pre-licensure electrolysis training program instructors. The training program instructor requirements currently lists only the following:

**64B8-53.001 General Requirements for Pre-licensure Electrolysis Training Programs.**

A pre-licensure electrolysis training program must demonstrate that it will comply with the following general requirements in order to be approved by the Council:

(9) The facility where initial training is offered shall submit to the Council at least the following:

(c) A current curriculum vitae of the course instructor(s);

**Rulemaking Authority 478.43(1), (4) FS. Law Implemented 478.43(4), 478.45(1)(e), 478.50(4)(b) FS. History–New 9-29-93, Formerly 61F6-78.001, Amended 6-19-96, Formerly 59R-53.001, Amended 11-13-97, 2-15-07, 2-15-17.**
Question 3: Must changes to training program instructors be approved by the Council (or its delegate)?

It was agreed that changes to 320-Hour pre-licensure electrolysis training program instructors should be considered and approved by the Council or its delegate.

This provision is not currently listed, in any form, within the Council’s regulations. Ms. Munson will assist the Council in determining appropriate placement.

Question 4: Must the hands-on instruction in laser and light-based equipment conducted by the instructor be supervised by a physician?

Ms. Adams mentioned she would pose this inquiry to the Electrolysis Society of Florida’s (ESF) Board.

Question 5: May the physician provide the hands-on instruction “instead of” the approved training program instructor?

Following discussion, it was determined that any physicians that would serve in an instructional capacity within a 320-Hour pre-licensure electrolysis training program, should be listed along with other instructors in the program.

Question 6: For facility licensure, must training program instructors present proof of laser and light-based hair removal qualifications and the written protocols as required in facility requirements Rule 64B8-51.006(3)(c), F.A.C.?

Ms. Greenhalgh mentioned that written protocols would be needed.

At this point in the meeting, the Chair took up Tabs 10-12 of the agenda.

REPORT OF ASSISTANT ATTORNEY GENERAL – Rachelle Munson, Esquire

REPORTS, IF ANY

10. Council Chair – Jolynn Greenhalgh, DNP, ARNP

   • Other Council Members:

Neither Ms. Greenhalgh nor other Council members had items to report.

11. Executive Director - Allen Hall

   • Cash Balance Report
   • Expenditures by Function Report

Mr. Hall presented the noted reports for the Council’s information.
OLD BUSINESS

12. October 7, 2019, Electrologist Council Meeting Minutes

Ms. Greenhalgh moved to approve the October 7, 2019, Electrolysis Council Meeting Minutes.

Ms. Wiedemer seconded the motion, which carried 3/0.

At this point in the meeting, the Chair took up Tabs 18-19 of the agenda.

OTHER BUSINESS AND INFORMATION

18. Spotlight on Unlicensed Activity

Informational item provided to the Council.


Informational item provided to the Council.

ADJOURNMENT

The meeting adjourned at 11:52 a.m.