

The Florida  
**Electrolysis Council**

# **Draft Minutes**

**March 2, 2015**

Telephone Conference Call

1-888-670-3525

Participant Code 7811783909 #

**Jolynn Greenhalgh, DNP, ARNP**  
Chair

**Lina Grillo, LE**  
Vice-Chair

**DEPARTMENT OF HEALTH  
ELECTROLYSIS COUNCIL  
GENERAL BUSINESS MEETING  
MARCH 2, 2015  
9:00 a.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.**

**9:00 a.m.**

**Call to Order – General Business Meeting**

Ms. Jolynn Greenhalgh, Council Chair, called the meeting to order at approximately 9:12 a.m. Those present for all or part of the meeting were as follows below.

**1    MEMBERS PRESENT**

2    Jolynn Greenhalgh, DNP, ARNP, Chair  
3    Lina Grillo, RE, Vice-Chair  
4    Nilsa Lapeyrouse, RE

**STAFF PRESENT**

Allen Hall, Executive Director  
Anna King, Program Operations Administrator

**5    ASSISTANT ATTORNEY GENERAL**

6    Marlene Stern, Esquire

**MQA BUREAU OF ENFORCEMENT STAFF**

Monica Dobson, Investigation Specialist II  
Nina Saxon, Investigation Specialist II

**7    OTHERS PRESENT**

8    Judy Adams, RE  
9    Sandra Allen, Esquire  
10   Julie Meadows-Keefe, Esquire,  
11   Society for Clinical and Medical  
12   Hair Removal  
13   Lisa Baker

14   **To accommodate individuals wishing to address the Council, the Council Chair may**  
15   **adjust the sequence of agenda items. The minutes reflect the actual sequence of events**  
16   **rather than the original agenda order.**

**17   ADMINISTRATIVE PROCEEDINGS**

**18   APPLICANT CERTIFICATION LIST**

**19   1. Examination Applicants**

20   Ms. Jolynn Greenhalgh moved to ratify the list of exam candidates. Ms. Nilsa Lapeyrouse  
21   seconded the motion, which carried 3/0.

22   *At this point in the meeting, Ms. Greenhalgh took up Tabs 11 and 12 indicating these late added*  
23   *agenda items were being considered for good cause shown to prevent a potential delay of 60*  
24   *days or more for Council action.*

1 **ADDENDUM**

2 **11. Erica Ann Lewis – Endorsement Applicant**

3 Ms. Lewis was present and not represented by legal counsel.

4 Ms. Lewis was licensed as an Electrologist in Massachusetts in 2004. Her application was  
5 before the Council to determine whether regulations in Massachusetts at that time were  
6 equivalent to the requirements for Electrologist licensure in Florida.

7 Following discussion, Ms. Greenhalgh moved to approve the application by endorsement. Ms.  
8 Lapeyrouse seconded the motion, which carried 3/0.

9 **12. New Business: Review of Electrolysis Council Consumer Member Application**

10 The Council reviewed the consumer member application submitted by Ms. Erin Wiedemer on  
11 February 24, 2015.

12 Following discussion, Ms. Greenhalgh moved to approve the application for submission to the  
13 Florida Board of Medicine for final review and approval. Ms. Greenhalgh seconded the motion,  
14 which carried 3/0.

15 *The Council Chair returned to Tab 2 and the remaining agenda items were taken up*  
16 *sequentially from this point.*

17 **RULES REVIEW & DEVELOPMENT**

18 **2. 64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.**

19 The Council reviewed and discussed the following proposed rule language presented by Ms.  
20 Stern:

21 **64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.**

22 (1) Definitions. An electrology facility is that portion of any establishment or place wherein electrolysis is  
23 performed. An electrology facility may be part of a residence.

24 (2) Electrology Facility Licensure.

25 (a) No one may operate an electrology facility without a license to do so from the Department of Health. The  
26 responsibility for electrolysis facility licensure lies with the owner of the electrolysis facility. Physicians licensed  
27 under Chapter 458 or 459, F.S., are not required to obtain an electrology facility. An electrologist employed by a  
28 physician licensed under Chapter 458 or 459, F.S., is not required to obtain an electrology facility license.

29 (b) To obtain the license, the applicant shall provide information to the Department as required by this rule on  
30 a form provided by the Department and approved and incorporated herein by reference by the Board as Form DH-  
31 MQA 1213, entitled "Application for Electrolysis Facility Licensure," effective 3/13, which can be obtained from  
32 <http://www.flrules.org/Gateway/reference.asp?No=Ref-02754> or the Department at The Florida Department of  
33 Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256. The applicant must pay a  
34 \$100 application fee, which is nonrefundable, \$100 inspection fee, \$100 licensure fee and a \$5.00 unlicensed  
35 activity fee.

1 (3) Paragraph (a) of this subsection applies to all electrology facilities regardless of the modalities used.  
2 Paragraph (b) of this rule applies to electrology facilities where epilators are used. Paragraph (c) of this rule applies  
3 to electrology facilities where laser or light-based equipment is used.

4 [all the provisions below will have to be renumbered]

5 (3) Electrology Facility Safety and Sanitary Requirements. – Listed below are requirements to be followed, and  
6 materials and equipment to be available at each electrology facility whether epilators, lasers, or light-based  
7 equipment is used.

8 (a) 1. Any room wherein electrolysis is performed shall have four fixed, permanent walls at least six feet tall  
9 from the floor and shall have doors capable of being locked. Permanent walls means a vertical continuous  
10 structure of wood, plaster, masonry, or other similar building material, which is physically connected to the  
11 electrology facility floor. At the time of service, each client shall be protected from view of the public, and any  
12 other clients at the facility. This requirement shall not apply to electrology facilities which are located in an  
13 electrolysis training facility so long as the unwallled area where electrolysis is performed is used for instructional  
14 purposes only. when electrolysis training is undertaken in accordance with a training program approved by the  
15 Electrolysis Council.

16 (b) -2. There shall be a toilet and sink with hot and cold running water within available to the electrology  
17 facility. This sink may also serve as the sink in the toilet and lavatory facilities required under paragraph (3)(c) of  
18 this rule. The toilet and sink shall be kept clean and in working order when the electrology facility is open for  
19 business.

20 (b) The following documents shall be displayed in an area that is visible to the general public entering the  
21 facility:

22 1. The electrology facility license.

23 2. The current license of the electrologist.

24 3. The most recent inspection sheet from the Department of Health.

25 4. A current copy of Rule 64B8-51.006, F.A.C.

26 (c) Toilet and Lavatory Requirements. Each electrology facility shall provide, on the premises or in the same  
27 building, a separate room containing toilet and lavatory facilities which shall have at least one toilet and one sink  
28 with running water, and shall be equipped with toilet tissue, soap dispenser with soap or other hand cleaning

1 material, disposable towels or wall-mounted electric blow dryer, and a waste receptacle. The toilet and lavatory  
2 facilities and all fixtures and components shall be clean, in good repair, well-lighted and adequately ventilated to  
3 remove objectionable odors.

4 (d) 4- Electrolysis shall be conducted on A a treatment table or treatment chair with a non-porous surface  
5 capable of being disinfected;

6 (e) 5- Disposable paper drapes or sanitary cloth drapes stored in a closed container or compartment;

7 (f) 6- Sanitary waste receptacles for the disposal of used gloves, paper supplies, cotton balls, and other  
8 noninfectious items;

9 (g) 7- Single use, disposable towels;

10 (h) 9- A treatment lamp or magnifier lamp capable of being cleaned with disinfectant;

11 (i) 10- A magnifying device which shall be a magnifier lamp, optical loupe or microscope capable of being  
12 cleaned and disinfected;

13 (j) 11- Tuberculocidal hospital grade disinfectant registered by the Environmental Protection Agency,  
14 household bleach or wiping cloths pre-saturated with disinfectant for wiping non-porous surfaces;

15 (k) 12- ~~If eye shields are used, eye shields capable of being cleaned with disinfectant;~~

16 (l) 14- Betadine, 3% U.S. Pharmaceutical grade hydrogen peroxide, or 70% isopropyl alcohol, or wrapped  
17 single use wipes saturated with 70% isopropyl alcohol;

18 (m) 15- Clean, non-sterile materials such as cotton balls, cotton strips, cotton swabs, gauze pads, and gauze  
19 strips;

20 (n) 16- ~~If cloth towels are used, they shall be laundered and sanitized~~ cleaned prior to use on a client and  
21 ~~which are stored in a closed container or compartment, and there shall be a covered sanitary container for~~  
22 ~~holding used cloth towels;~~ Used cloths shall be kept in a separate closed container.

23 (o) 19- A holding container for soaking and cleaning contaminated instruments; ~~and~~

24 (p) 20- Non-sterile disposable examination gloves - ; and

25 (q) ~~(d) No animals shall be allowed to enter or be in the room wherein electrolysis is performed except those~~  
26 ~~trained to assist the hearing impaired, visually impaired, or the physically impaired.~~

27 (4) (e) ~~The~~ In electrology facility ies where an epilator is used shall have the following requirements,

1 materials and equipment shall be present, in addition to those specified in paragraph #####:

2 (a) ~~1-~~ An FDA registered needle-type epilation device in working order;

3 (b) ~~2-~~ Clean and sterile needles/probes and forceps/tweezers;

4 (c) ~~3-~~ Needle holder tips;

5 (d) ~~4-~~ A treatment table or treatment chair with a non-porous surface capable of being disinfected;

6 ~~5-~~ Disposable paper drapes or sanitary cloth drapes stored in a closed container or compartment;

7 ~~6-~~ Sanitary waste receptacles for the disposal of used gloves, paper supplies, cotton balls, and other  
8 noninfectious items;

9 ~~7-~~ Single use, disposable towels;

10 (e) ~~8-~~ A sharps container for disposal of used needles/probes;

11 ~~9-~~ A treatment lamp or magnifier lamp capable of being cleaned with disinfectant;

12 ~~10-~~ A magnifying device which shall be a magnifier lamp, optical loupe or microscope capable of being cleaned  
13 and disinfected;

14 ~~11-~~ Tuberculocidal hospital grade disinfectant registered by the Environmental Protection Agency, household  
15 bleach or wiping cloths pre-saturated with disinfectant for wiping non-porous surfaces;

16 ~~12-~~ If eye shields are used, eye shields capable of being cleaned with disinfectant;

17 (f) ~~13-~~ Covered containers for needles/probes and forceps/tweezers which containers are capable of being  
18 cleaned and sterilized; and

19 ~~14-~~ Betadine, 3% U.S. Pharmaceutical grade hydrogen peroxide, or 70% isopropyl alcohol, or wrapped single  
20 use wipes saturated with 70% isopropyl alcohol;

21 ~~15-~~ Clean, non-sterile materials such as cotton balls, cotton strips, cotton swabs, gauze pads, and gauze strips;

22 ~~16-~~ If cloth towels are used, they shall be laundered and sanitized prior to use on a client . which are The  
23 laundered and sanitized clothes shall be stored in a closed container or compartment, and there shall be a covered  
24 sanitary container for holding used cloth towels;

25 (g) ~~17-~~ A sterilizer which shall be either an autoclave or a dry heat sterilizer, and color change indicators for  
26 use with either sterilizer. The endodontic dry heat "glass bead sterilizer" shall not be used for instrument  
27 sterilization;

1 ~~18. Unless the facility is new, monthly records of sterilizer biological test monitoring which shall be made~~  
2 ~~available to the Department upon request;~~

3 ~~19. A holding container for soaking and cleaning contaminated instruments; and~~

4 ~~20. Non-sterile disposable examination gloves.~~

5 ~~(f) An appointment book shall be maintained and kept on the electrology facility premises which lists the~~  
6 ~~name of each person who has received electrolysis treatment.~~

7 ~~(e) 18. Unless the facility is new, monthly records of sterilizer biological test monitoring which shall be made~~  
8 ~~available to the Department upon request;~~

9 ~~(5) (g) In electrology facilities wherein laser or light-based equipment is used for hair removal, the following~~  
10 ~~requirements, materials and equipment shall be provided, in addition to those specified in paragraph #####:~~

11 ~~(a) 1. Any room wherein electrolysis is performed shall have four fixed, permanent walls at least six feet tall~~  
12 ~~from the floor and shall have doors~~

13 ~~(a) 1- Proof of certification of 30 hours of continuing education in laser hair removal for all electrologists~~  
14 ~~using laser equipment in the facility.~~

15 ~~(b) 2- Proof of certification as Certified Medical Electrologist for all electrologists using laser equipment in the~~  
16 ~~facility.~~

17 ~~(c) 3- For devices required to be registered, proof of registration for each laser or light-based device in use at~~  
18 ~~the facility as required by Section 501.122, F.S.~~

19 ~~(d) 4- Written designation of laser safety officer.~~

20 ~~5. Appropriate sign~~ Sign on door of laser room identifying when laser or light-based equipment is in use.

21 ~~6. Lock on door of laser room.~~

22 ~~(e) 7- Protective eyewear ,capable of being cleaned and disinfected, shall be used by for all persons in laser~~  
23 ~~room during operation of laser or light-based equipment.~~

24 ~~(f) 8- Fire extinguisher in vicinity of laser room.~~

25 ~~(g) 9- Cold water and ice.~~

26 ~~(h) 10- The written protocols required by paragraph 64B8-56.002(4)(a), F.A.C.~~

27 ~~(6) (b) The following documents shall be~~ available in each electrology facility ~~displayed in an area that is~~

1 ~~visible to the general public entering the facility:~~

2 (a) ~~1-~~ The electrology facility license which shall be visible to the public . ;

3 (b) ~~2-~~ The current license of the electrologist which shall be visible to the public . ;

4 (c) ~~3-~~ The most recent inspection sheet from the Department of Health . ;

5 (d) ~~4-~~ A current copy of Rule 64B8-51.006, F.A.C.; and,

6 (f) An appointment book shall be maintained and kept on the electrology facility premises which lists the  
7 name of each person who has received electrolysis treatment.

8 (4) (7) Inspections. The Department shall inspect all electrology facilities in the following manner:

9 (a) All licensed facilities shall be inspected once per biennium.

10 (b) All facilities applying for initial licensure shall be inspected prior to licensure.

11 (5) Transfer of Ownership or Location of the Electrology Facility.

12 (a) No license for an electrology facility may be transferred from the name of the original licensee to another.

13 (b) An electrology facility license may be transferred from one location to another only upon approval by the  
14 Department which approval shall be granted upon compliance with all requirements set out below in  
15 subparagraphs 1. through 3. Only the licenses for electrology facilities which have passed inspection at the original  
16 location are eligible for transfer to another location. In order to begin practice at the new location, the electrology  
17 facility license holder must first perform all of the following procedures:

18 1. File a completed application for transfer prior to the date of the transfer on forms prescribed by the  
19 Department, as referenced in paragraph (2)(b) of this rule, which application must be processed by the Council  
20 office;

21 2. Surrender the current license with the application; and

22 3. Pay \$100 to have the new location inspected to determine compliance with Rule 64B8-51.006, F.A.C. The  
23 electrology facility license holder transferring the license shall be permitted to perform electrolysis in the new  
24 facility, only after the application has been processed by the Council office and notification provided to the  
25 licensee, prior to inspection for a period of 60 days commencing with the first day electrolysis is performed in the  
26 new facility. The required inspection must be performed within the 60 day period or electrolysis services must  
27 cease until the inspection is performed.

28 (6) (8) Renewal of Facility Licensure. Facility licensure shall be renewed at the end of each biennium  
29 prescribed by the Department. The licensee shall receive ninety (90) days notice of the need to renew the facility  
30 license. The notice shall be sent to the licensee at the last known address of the facility. Failure to receive the  
31 notice will not excuse the licensee from the requirement to renew the facility license, and failure to renew shall  
32 result in the license becoming delinquent. If the delinquent licensee does not apply for renewal of the license  
33 within six months of the license becoming delinquent, the license shall become null and any subsequent licensure  
34 shall be as a result of applying and meeting all requirements for new licensure. A facility may not operate without a  
35 license. To timely renew the facility license, including the six month "grace period" provided for, the licensee must  
36 pay the renewal fee of \$100 and the inspection fee of \$100.

1        ~~(7)~~ (9) No license for operation of an electrology facility may be transferred from the name of the licensee to  
 2 the name of another person. If a facility is sold, the new owner must apply to the Department for licensure and no  
 3 electrolysis services may be performed in the facility after the sale until the new owner has received the required  
 4 license from the Department. A person purchasing an electrology facility may apply to the Department for  
 5 licensure prior to the date of purchase.

6        *Rulemaking Authority 456.037, 478.43(1), (4), 478.51(3) FS. Law Implemented 456.037(2), (3), (5), 456.0635, 478.49, 478.51 FS.*  
 7        *History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98,*  
 8        *2-17-00, 3-25-01, 4-8-02, 6-16-03, 7-29-10, 6-19-13, 12-25-14.*

9        During review of this item, the Council was addressed by Ms. Judy Adams, licensed Florida  
 10 Electrologist, Mr. Gregory Absten, President, Professional Medical Association – National  
 11 Council for Laser Excellence, Ms. Monica Dobson and Ms. Nina Saxon, Electrolysis Facility  
 12 Inspectors, Department of Health, West Palm Beach region.

13        Following extensive discussion, the following changes were proposed for modification to the  
 14 draft language:

- 15        • Paragraph (3)(o) – Add the word “and” at this end of the sentence;
- 16        • Paragraph (3)(p) – Delete the word “and” at the end of this sentence; and
- 17        • Paragraph (7) – Add a requirement that licensed electrolysis facilities must request an  
 18 inspection when adding services and equipment for modalities (electrolysis or laser) not in  
 19 place at the time of the most recent DOH inspection. The request for inspection must be  
 20 submitted to the Council Office within 30 days of acquiring equipment in the facility and  
 21 passed prior to offering services to the public. The current inspection fee of \$100 will be  
 22 assessed for this service.

23        Ms. Stern will incorporate these changes and bring back for final review and determination of  
 24 any fiscal impact at the next available meeting of the Council.

25        **REPORT OF ASSISTANT ATTORNEY GENERAL – Marlene Stern**

26        **3. Rule Status Report**

27        Ms. Stern presented the following rule status report to the Council. Draft rules, incorporating  
 28 feedback from the February 13, 2015 Electrolysis Council rules workshop, will be prepared for  
 29 future review by the Council.

30

Rule Number	Title	Approved by Council	Approved by Board	Sent to OFARR	Rule Dev. Published	Notice Published	Adopted	Effective
THE FOLLOWING RULES ARE <b>IN PROCESS</b> :								
THE FOLLOWING RULES HAVE BEEN <b>ADOPTED</b> IN THE PAST THREE (3) MONTHS:								
64B8-51.001	Manner of Application	06/05/14		08/27/14	08/29/14	09/16/14	11/07/14	11/27/14

Rule Number	Title	Approved by Council	Approved by Board	Sent to OFARR	Rule Dev. Published	Notice Published	Adopted	Effective
64B8-51.002	Licensure by Examination	06/05/14		08/18/14	08/19/14	09/12/14	11/07/14	11/27/14
64B8-51.006	Rule Governing Licensure and Inspection of Electrology Facilities	06/05/14		08/18/14	08/19/14	09/12/14	12/05/14	12/25/14
64B8-52.004	Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction	06/05/14		08/18/14	08/19/14	09/12/14	12/01/14	12/21/14
64B8-56.002	Equipment and Devices; Protocols for Laser and Light-Based Devices	06/05/14		08/18/14	08/19/14	09/12/14	10/15/14	11/04/14

1 **4. Sunshine Laws Refresher**

2 Ms. Stern provided a brief overview of the Sunshine Laws emphasizing the requirement that any  
3 and all communication regarding Council business, or anticipated business of the Council, may  
4 only occur between Council members during publicly noticed meetings.

5 **REPORTS**

6 **5. Council Chair – Jolynn Greenhalgh, DNP, ARNP**

7 No items reported.

8 **NEW BUSINESS**

9 **6. 2015 Council Elections**

10 The Council agreed to maintain the current Council Member posts as follows:

- 11 • Chair: Jolynn Greenhalgh
- 12 • Vice Chair: Lina Grillo

- 1 • Unlicensed Activity Liaison: Lina Grillo
- 2 • Budget Liaison: Jolynn Greenhalgh
- 3 • Education Liaison: Nilsa Lapeyrouse
- 4 • Legislative Liaison: Jolynn Greenhalgh
- 5 • Healthy Weight Liaison: Jolynn Greenhalgh

6 Ms. Grillo moved to approve the current appointments for 2015. Ms. Greenhalgh seconded the  
7 motion, which carried 3/0.

## 8 **7. 2015 Delegation of Authority & Conviction Records Guidelines**

9 The Council reviewed the 2015 delegations of authority to the Council Chair, Full Council,  
10 Executive Director, Council Attorney and Program Administrator. The Council also reviewed the  
11 proposed conviction record guidelines for use by Council staff in reviewing applications in which  
12 the applicant has criminal history.

13 Ms. Grillo moved to approve the 2015 Delegation of Authority and Conviction Record Guidelines  
14 as presented. Ms. Lapeyrouse seconded the motion, which carried 3/0.

## 15 **OLD BUSINESS**

### 16 **8. Healthiest Weight Initiative**

17 The Council, on the whole, indicated it would not be interested in receiving quarterly e-mails of  
18 handouts or working directly with the state electrology associations regarding this initiative. Ms.  
19 Greenhalgh indicated she would be interested in these items as the Council's liaison on this  
20 campaign.

### 21 **9. January 26, 2015 Electrolysis Council Meeting Minutes**

22 Ms. Greenhalgh moved to ratify the minutes of the January 26, 2015 Council meeting. Ms.  
23 Lapeyrouse seconded the motion, which carried 3/0.

## 24 **OTHER BUSINESS AND INFORMATION**

### 25 **10. February 13, 2015 Electrolysis Council Rules Workshop Minutes**

26 The Council did not have any additions to the minutes.

27 The next meeting of the Council is scheduled for Monday, May 18, 2015, at 2:30 p.m. During  
28 the February 13<sup>th</sup> workshop, it was noted that a meeting may be scheduled prior to May 2015 to  
29 review any draft language on the curriculum rule available prior to that date.

## 30 **ADJOURNMENT**

31 The meeting adjourned at 10:34 a.m.