

The Florida
Electrolysis Council

Draft Minutes

April 20, 2020

Telephone Conference Call

1-888-585-9008

Participant Code 564-341-766 #

Jolynn Greenhalgh, DNP, APRN,
LEChair

**DEPARTMENT OF HEALTH
ELECTROLYSIS COUNCIL
GENERAL BUSINESS MEETING**

**April 20, 2020
10:00 a.m. EST**

**CONFERENCE CALL
1-888-585-9008**

When prompted, enter the following conference code
number: **564341766**, 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.

Members Present

- 1 Ms. Jolynn Greenhalgh, DNP, APRN, RE, Chair
- 2 Ms. Sarah Gray, Esquire, Vice-Chair
- 3 Ms. Rosanna Bermejo, RE
- 4 Mr. Gregory Ramer

Staff Present

- Mr. Allen Hall, Executive Director
- Ms. Anna King, Program Administrator
- Ms. Bailey Fair, Regulatory Specialist II

5 **ASSISTANT ATTORNEY GENERAL**

- 6 Ms. Rachelle Munson, Esquire

7 **ADDITIONAL PERSONS PRESENT**

- 8 Ms. Judy Adams, RE
- 9 Ms. Sandy Allen, Esquire
- 10 Mr. Larry Gonzalez, Esquire

11 **10:00 a.m. (ET)**

- 12 Call to Order – General Business Meeting

13 **INDIVIDUAL CONSIDERATIONS**

- 14 1. Miriam Moran, Endorsement Applicant

15 Ms. Moran was present and not represented by legal counsel.

16 Ms. Moran’s application for Electrologist Licensure by Endorsement was before the Council for
17 consideration of her application.

18 **MOTION:** Following discussion and further review, Ms. Greenhalgh moved to approve the
19 application by examination. Ms. Gray seconded the motion, which carried 4/0.

- 20 2. Grady Bunce, Endorsement Applicant

21 Mr. Bunce was present and was not represented by legal counsel.

1 Mr. Bunce's application for Electrologist Licensure by Endorsement was before the Council for
2 consideration of his application.

3 **MOTION:** Following discussion and further review, Ms. Greenhalgh moved to approve the
4 application by examination. Ms. Gray seconded the motion, which carried 4/0.

5 3. Jessica Gomez, Examination Applicant

6 Ms. Gomez was present and was not represented by legal counsel.

7 Ms. Gomez' application for Electrologist Licensure by Examination was before the Council for
8 consideration of her application.

9 **MOTION:** Following discussion and further review, Ms. Greenhalgh moved to approve the
10 application by examination. Ms. Gray seconded the motion, which carried 4/0.

11 4. Carlie Quinn, Examination Applicant

12 Ms. Quinn was present and was not represented by legal counsel.

13 Ms. Quinn's application for Electrologist Licensure by Examination was before the Council for
14 consideration of her application.

15 **MOTION:** Following discussion and further review, Ms. Greenhalgh moved to approve the
16 application by examination. Ms. Gray seconded the motion, which carried 4/0.

17 **320-HOUR COMBINED ELECTROLYSIS TRAINING PROGRAM**

18 5. Celebrity School of Beauty

19 Mr. Daykel Menendez was present on behalf of Celebrity School of Beauty and was not
20 represented by legal counsel.

21 Celebrity School of Beauty's application to become a 320-Hour Combined Electrolysis Training
22 School Program was before the Council for consideration.

23 **MOTION:** Following discussion and further review, Ms. Greenhalgh moved to approve the 320-
24 Hour Combined Electrolysis Training School Program application. Ms. Gray seconded the
25 motion, which carried 4/0.

26 **LICENSURE RATIFICATION LIST**

27 6. Licensed Electrologists

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

29 **MOTION:** Ms. Greenhalgh moved to approve the list of examination candidates. Ms. Gray
30 seconded the motion, which carried 4/0.

1 **RULES REVIEW AND DEVELOPMENT**

2 7. Emergency Rule: 64B8-52.003, F.A.C., Procedure for Approval at Continuing Education
3 Courses

4 The Council reviewed and discussed proposed emergency rule language prepared by Ms.
5 Munson to remove the 10-hour live continuing education requirement for the current 2020
6 licensure renewal. The rule was proposed to assist licensees as a result of the COVID-19
7 pandemic reducing the number of live course options available through the May 31st expiration
8 date.

9 Following the Council's discussion, Ms. Greenhalgh moved to approve the proposed emergency
10 rule language. Ms. Gray seconded the motion, which carried 4/0.

11 After further discussion, Ms. Greenhalgh moved the proposed change would only apply to those
12 licensees currently in good standing. Ms. Gray seconded the motion, which carried 4/0.

13 Ms. Munson noted that due to the Board of Medicine's meeting not being until after the renewal
14 expiration date, there might not be the opportunity to gain final approval of the emergency rule
15 prior to May 31st.

16 Ms. Judy Adams, RE, addressed the Board noting the Electrolysis Society of Florida (ESF) was
17 not in support of any rule change to eliminate the live-hour requirement for this renewal, as all
18 licensees have had almost two years to fulfill the requirement. Ms. Adams indicated the ESF
19 would be in support of recommending an extension of the May 31st expiration date to allow time
20 for licensees to complete the required hours.

21 After further discussion, Ms. Greenhalgh moved to rescind her motion approving the emergency
22 rule language. Ms. Gray seconded the motion, which carried 4/0.

23 Ms. Greenhalgh moved to recommend the Department of Health extend the renewal expiration
24 date 30 days beyond the normal May 31st expiration date. Ms. Gray seconded the motion, which
25 carried 4/0.

26 Mr. Hall indicated he would submit the Council's request to the appropriate persons within the
27 Department of Health.

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

29 Ms. Munson presented proposed updates to the disciplinary guidelines consistent with changes
30 made to other Council rules within the last two years. Ms. Munson worked with Ms. Greenhalgh
31 to produce the draft under review by the Council.

32 Following further discussion, Ms. Munson asked the Council to continue to review and provide
33 feedback to ensure the final product covered everything needed. Any additional updates will be
34 reviewed during the Council's July 2020 meeting.

35 *Note: Ms. Gray left the meeting at approximately 12 p.m. prior to discussion of the remaining*
36 *agenda items.*

1 9. Rule 64B8-56.002, F.A.C., Equipment and Devices; Protocols for Laser Light-Based Devices

2 Mr. Larry Gonzalez, Esquire, addressed the Council on behalf of the ESF as well as the
 3 Electrolysis Association of Florida (EAF). He presented the following proposed rule language to
 4 allow Electrologists providing laser and light-based hair removal services to receive the required
 5 direct supervision, by medical doctors or osteopathic physicians, via telehealth.

6 *“For purposes of this rule direct supervision and responsibility shall require the supervising physician
 7 either be on the premises where laser hair removal is being performed or supervising the electrologist by
 8 means of telehealth as a telehealth provider pursuant to Section 456.47, F.S.”*

9 Mr. Gonzalez indicated the proposed language would be added to the end of Rule 64B8-
 10 56.002(2)(c), F.A.C.

11 Ms. Adams addressed the Council during the discussion.

12 **MOTION:** Following discussion and further review, Ms. Greenhalgh moved to approve the
 13 addition of the proposed rule text. Mr. Ramer seconded the motion, which carried 3/0.

14 Ms. Greenhalgh moved the proposed rule language would not have an adverse impact on small
 15 business nor have an economic impact on government or any other entity in excess of \$200,000
 16 within one year of the rule being implemented. Mr. Ramer seconded the motion, which carried
 17 3/0.

18 Ms. Greenhalgh moved the proposed rule should not be designated as a minor violation for first
 19 time offenses. Mr. Ramer seconded the motion, which carried 3/0.

20 Ms. Greenhalgh moved there should not be a provision to sunset the proposed language. Mr.
 21 Ramer seconded the motion, which carried 3/0.

22 **REPORT OF ASSISTANT ATTORNEY GENERAL -Rachelle Munson, Esquire**

23 10. Rule Status Report

24 Ms. Munson presented the following rule status report.
 25

Rule Number	Rule Title	Dates Rule Language Voted On by Council	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
64B8-51.006	Rule Governing Licensure and Inspection of Electrology Facilities	07/01/19	2/08/19 08/02/19	12/10/18 (RD)	12/18/18 (RD) Vol. 44/244	3/05/19 (RN) Vol. 45/44 03/07/19 JAPC letter 03/12/19 Atty Response 05/29/19 JAPC letter 5/30/19 Atty Response 5/30/19 Rule Tolloed 09/25/19 Notice of Change 11/05/19 Notice of Change 12/03/19 Atty Response	12/11/19	12/31/19

Rule Number	Rule Title	Dates Rule Language Voted On by Council	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
64B8-52.003	Procedure for Approval of Attendance at Continuing Education Courses	07/01/19	08/02/19	7/17/18 (RD) 08/26/19(RN)	7/25/18 (RD) Vol. 44/144	09/05/19 Vol. 45/173 09/13/19 JAPC letter 09/18/19 JAPC Response 11/18/19 Notice of Change	12/16/19	01/05/20

1 11. Annual Regulatory Plan

2 Ms. Munson presented a draft plan of rules to be reviewed by the Council during the 2020-2021
3 fiscal year. She noted rules discussed during the instant meeting would be added to the plan.
4 Ms. Munson will present the final draft, to be incorporated into the Board of Medicine’s Annual
5 Regulatory Plan, to the Council during its July 2020 meeting. The final report is to be submitted
6 to the Governor’s Office by September 1, 2020.

7 12. Council Member Training Refresher

8 This item was tabled for presentation by Ms. Munson during the July 2020 meeting to ensure all
9 members could receive the refresher training.

10 **REPORTS**

11 13. Council Chair – Jolynn Greenhalgh, DNP, APRN, RE
12 • Other Council Members

13 Ms. Greenhalgh had no items to report.

14 14. Executive Director – Allen Hall

15 Mr. Hall presented the following informational reports:

- 16 • Cash Balance Report
17 • Expenditures by Function Report

18 **OLD BUSINESS**

19 15. January 13, 2020 Electrologist Council Meeting Minutes

20 Ms. Greenhalgh moved to approve the minutes. Mr. Ramer seconded the motion, which carried
21 3/0.

22 16. Meeting Times for July 13, 2020, and October 5, 2020, Council Meetings

23 The Council agreed on the following times for the remaining meetings of the year:

- 24 • July 13, 2020, at 9:00am ET
25 • October 5, 2020, at 8:30am ET

1 **NEW BUSINESS**

2 17. 2020 Legislation

3 Mr. Hall provided an informational overview on HB 713 (2020) pending signature by the
4 Governor. Mr. Hall noted sections 11 and 12 of the bill remove provisions that require the
5 Department of Health and the various Boards to suspend the licenses of health care
6 practitioners who default on Federal student loans.

7 **OTHER BUSINESS AND INFORMATION**

8 18. Board of Medicine Minutes February 7, 2020

9 The Board of Medicine General Business Meeting minutes were provided for informational
10 purposes regarding the Board's appointment of Mr. Ramer and re-appointment of Ms. Gray to
11 the Council.

12 **ADJOURNMENT**

13 The meeting adjourned at 12:37 p.m.