

The Florida
Electrolysis Council

Draft Minutes

May 26, 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**

**May 26, 2020
9:00 a.m. EST**

DRAFT MINUTES

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 Jolynn Greenhalgh, DNP, APRN, RE, Chair
- 2 Sarah Gray, Esquire, Vice Chair
- 3 Rosanna Bermejo, RE
- 4 Gregory Ramer, Consumer Member

Staff Present

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

ASSISTANT ATTORNEY GENERAL

- 5 Mr. Timothy Frizell, Esquire

9:00 a.m. (ET)

- 8 Call to Order – General Business Meeting

RULES REVIEW AND DEVELOPMENT

10 The applications for Electrologist and Electrolysis Facility licensure require changes pursuant to
11 HB 115 (2020). The Division of Medical Quality Assurance (Division) is requesting Boards and
12 Councils move forward with rulemaking prior to the effective date of the legislation, which is
13 7/1/20.

14 The following question related to Section 456.0635, F.S., was updated to reflect legislative
15 changes (HB 115) which removed penalties resulting from defaulting on Federal student loans.

16 *Are you currently listed on the United States Department of Health and Human Services’ Office*
17 *of the Inspector General’s List of Excluded Individuals and Entities (LEIE)? Yes No*

18 *a. If you responded “Yes” to the question above, are you listed because you defaulted*
19 *or are delinquent on a student loan? Yes No*

20 *b. If you responded “Yes” to question 5.a., is the student loan default or delinquency the*
21 *only reason you are listed on the LEIE? Yes No*

1 Additionally, the Division has developed a standard format to be used for all professions'
2 applications. While these formatting changes are not related to legislation, they are being
3 presented in conjunction with the needed legislative change and represent a significantly
4 improved application.

5 The following features are being implemented:

- 6 • Custom designed cover pages;
- 7 • Directions are in the individual application sections rather than the beginning of the
8 application to encourage applicants to read the instructions;
- 9 • The applications are text fillable and tab-able;
- 10 • If applicants answer both “Yes” and “No”, the fields will reset and only keep the last
11 answer;
- 12 • Once an applicant provides his or her name, it is populated in the remainder of the
13 application;
- 14 • The “License Verification” form are not fillable and will require other boards to send it on
15 their letterhead, to help prevent fraud;
- 16 • Formatting standards were implemented for specific fields such as: SSN, dates, and
17 phone numbers to reduce input errors by applicants; and
- 18 • Possible drop-down menus to help limit the types of answers that can be given.

19 The Council was asked to review and consider approval of the revised application forms as well
20 as the revised rule text incorporating same.

21 1. Rule 64B8-51.001, F.A.C., Manner of Application

22 **64B8-51.001(1), F.A.C., Manner of Application.**

23 (1) All persons applying for licensure as an electrologist shall submit a signed application to the Executive Director
24 of the Council on forms provided by the Council and approved and incorporated herein by reference by the Board as
25 Form DH-MQA 1164 entitled “~~State of Florida~~ Electrologist Licensure Application” (revised 05/20 08/02/2019),
26 with instructions, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-11225>, or
27 <http://www.floridahealth.gov/licensing-and-regulation/electrolysis/>. The initial application must be accompanied by
28 the application fee, as set forth in Rule 64B8-51.007, F.A.C.

29 *Rulemaking Authority 456.013, 478.43(1), (4) FS. Law Implemented 456.013, 456.0635, 478.45, 478.46, 478.47, 478.55 FS. History--New 5-31-*
30 *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-*
31 *9-01, 2-15-04, 10-31-05, 2-11-08, 5-7-09, 5-13-10, 5-14-13, 11-27-14, 9-8-16, 11-3-19, _____.*

32 2. Rule 64B8-51.002, F.A.C., Licensure by Examination

33 **64B8-51.002(4), F.A.C., Licensure by Examination.**

34 (4) A candidate for licensure by examination who fails to pass the examination shall be required to retake the
35 examination prior to issuance of a license. The application for re-examination of the licensure examination, as
36 referenced in subsection (2) of this rule, shall be made on the “Electrologist Re-Examination Application” form DH-
37 MQA 1262 hereby adopted (05/20 6/14) and which can be accessed through
38 <http://www.flrules.org/Gateway/reference.asp?No=Ref-04745>, or <http://www.floridahealth.gov/licensing->

1 [andregulation/electrolysis/](#). Upon notice from the testing vendor of an applicant’s unsuccessful scores, the Council
2 Office will send the re-examination form to affected applicants.

3 *Rulemaking Authority 478.43(1), (4) FS. Law Implemented 456.017, 456.0635, 478.45 FS. History--New 5-31-93, Formerly 21M-76.002, 61F6-*
4 *76.002, Amended 7-11-95, Formerly 59R-51.002, Amended 11-13-97, 2-17-00, 5-28-00, 11-27-14, 4-16-19.*

5 3. Rule 64B8-51.006, F.A.C., Rule Governing Licensure and Inspection of Electrology
6 Facilities

7 **64B8-51.006(2)(b) & (5)(b)1., F.A.C., Rule Governing Licensure and Inspection of Electrology Facilities.**

8 (2) Electrology Facility Licensure.

9 (b) To obtain the license, the applicant shall provide information to the Department as required by this rule on a
10 form provided by the Department and approved and incorporated herein by reference by the Board as Form DH-
11 MQA 1213, entitled “~~State of Florida~~ Application for Electrolysis Facility Licensure —~~New Facility or New~~
12 ~~Ownership~~” (revised ~~05/20~~ ~~08/02/2019~~), which can be obtained from
13 <http://www.flrules.org/Gateway/reference.asp?No=Ref-11259>, or the Department at The Florida Department of
14 Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256. The applicant must
15 pay a \$100 application fee, which is nonrefundable, \$100 inspection fee, \$100 licensure fee and a \$5.00 unlicensed
16 activity fee.

17 (5) Inspections. The Department shall inspect all electrology facilities in the following manner:

18 (b)1. File a completed application for transfer prior to the date of the transfer on a form prescribed by the Department,
19 and approved and incorporated herein by reference by the Board as Form DH5018-MQA-07/2016, entitled “~~State of~~
20 ~~Florida~~ Application for Transfer of Electrolysis Facility Location” (revised ~~05/20~~ ~~08/02/2019~~), which can be
21 obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-11260>, or the Department at the Florida
22 Department of Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256, which
23 application must be processed by the Council office

24 **MOTION:** Following discussion and further review, Ms. Jolynn Greenhalgh moved to approve
25 the proposed rule text for each rule. Ms. Sarah Gray seconded the motion, which carried 4/0.

26 Ms. Jolynn Greenhalgh moved the proposed rule language would not have an adverse impact
27 on small business. Mr. Gregory Ramer seconded the motion, which carried 4/0.

28 Ms. Jolynn Greenhalgh moved the proposed rule language would not create and economic impact
29 on government or any other entity in excess of \$200,000 within one year of the rule being
30 implemented. Ms. Sarah Gray seconded the motion, which carried 4/0.

31 Ms. Jolynn Greenhalgh moved the proposed rule should not be designated as a minor violation
32 for first time offenses. Ms. Sarah Gray seconded the motion, which carried 4/0.

33 The Council agreed there should not be a provision to sunset the proposed language.