

The Florida
Electrolysis Council

Minutes

July 11, 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**

July 11, 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
Sandra Allen, Esquire

2:00 p.m.

Call to Order – General Business Meeting

ADMINISTRATIVE PROCEEDINGS

30 HOUR CE PROVIDER APPLICANTS

1. Laser Loft

Laser Loft was not present and not represented by legal counsel.

The Council reviewed the 30-hour laser and light-based hair removal continuing education provider application of Laser Loft.

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

REVIEW OF NEW 30-HOUR CE COURSE INSTRUCTOR

2. Boca Beauty Academy: Mariana Anghel

Ms. Pamela Criado, Director of Education, was present on behalf of Boca Beauty Academy and not represented by legal counsel.

The Council reviewed Boca's request for approval of a new instructor for the school's 30-hour laser and light-based hair removal continuing education course.

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

APPLICANT CERTIFICATION LIST

3. 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

4. 64B8-52.003 Procedure for Approval of Attendance at Continuing Education Courses

Paragraph (1) of this rule has been revised to reflect current Department of Health procedures for biennial licensure renewal pursuant to Rule 64B-9.001, F.A.C. and Section 456.025(7), F.S.

The Council was asked to determine whether it would approve the proposed rule modification below. The Council reviewed and discussed the following proposed rule language presented by Ms. Norr.

64B8-52.003 Procedure for Approval of Attendance at Continuing Education Courses.

(1) During the license renewal period of each biennium, an postcard renewal reminder application for renewal will be mailed to each licensee by the Department at the last address provided to the Board. Failure to receive any notification during this period does not relieve the licensee of responsibility of meeting the continuing education requirements. Renewal of the license will occur according to the procedures described in Rule 64B8-54.001, F.A.C. The application for renewal shall include a form on which the licensee shall state whether the licensee has completed the required continuing education and what number of hours were completed in the relevant biennium or year. The licensee must retain such receipts, vouchers, certificates, or other papers as may be necessary to document completion of the appropriate continuing education offerings listed on the renewal form for a period of not less than 4 years from the date the offering was taken. The Department will verify completion of all required continuing education hours through the licensee's continuing education tracking account at www.cebroker.com upon the licensee's application for renewal of licensure. Licensees may obtain more information regarding reporting and tracking of continuing education hours at <http://www.flhealthsource.gov/requirements>. The Council will audit at random a number of licensees as is necessary to assure that the continuing education requirements are met. Failure to document

compliance with the continuing education requirements or the furnishing of false or misleading information regarding compliance shall be grounds for disciplinary action pursuant to Section 478.52(1)(a), F.S.

(2) All licensees shall be awarded contact hours for attendance at all offerings that are approved by the Electrolysis Society of Florida (ESF), or the Electrolysis Association of Florida (EAF), or the American Electrology Association, or the Society of Clinical and Medical Hair Removal, and all offerings from other states which are approved by the states' licensing agency or professional electrology organization which offerings have been approved by the American Electrology Association, or the Society of Clinical and Medical Hair Removal, or any technical school, college or university course taken and successfully completed for the first time by the licensee in a subject area relevant to electrolysis. The licensee shall provide verification upon request of the Department.

(3) HIV/AIDS and blood-borne disease continuing education requirements.

(a) Each licensee is required to complete no later than upon first renewal an approved course on HIV/AIDS education. Approved offerings in HIV/AIDS are those that meet the requirements of Section 465.033, F.S. Courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health pursuant to Section 456.033, F.S., are approved by this council.

(b) One hour of each biennium must be obtained by each licensee in an approved course on blood-borne diseases.

(4) Two (2) hours each biennium must be obtained by each licensee in approved offerings on prevention of medical errors, including a study of root-cause analysis, error reduction and prevention, and patient safety.

(5) Up to ten hours per biennium of the continuing education required for license renewal may be in the form of approved home study courses.

(6) Up to 2 hours each biennium may be obtained in the area of risk management by a licensee by attending a Board meeting in which another licensee is being disciplined, or by serving as volunteer expert witness in a disciplinary case.

(7)(a) A maximum of 6 contact hours shall be awarded per biennium for each of the following or a combination of the following:

(b) The presentation of an electrology related course or program as either the lecturer of the course or program or as the author of the course materials. Each licensee who is participating as either a lecturer or author of an electrology related course or program shall receive credit for the portion of the offering he/she presented or authored up to the total hours awarded for the offering.

1. Continuing education credit shall be awarded to a lecturer or author for the initial presentation of each electrology related course or program only; repeat presentations of the same course or program shall not be granted credit.

2. In order for a continuing education credit to be awarded to each licensee participating as either lecturer or author, the format of the electrology related course or program must conform with all applicable sections of this rule chapter.

3. The number of contact hours to be awarded to each licensee who participates in an electrology related course or program as either a lecturer or author is based on the 50 minute contact hour employed within this rule chapter.

Rulemaking Authority 478.43(1), (4), 478.50(2), (4)(a), (b) FS. Law Implemented 456.013, 456.033, 478.43(4), 478.50(2), (4)(a), (b) FS. History—New 6-1-93, Formerly 21M-77.003, 61F6-77.003, Amended 5-11-95, Formerly 59R-52.003, Amended 2-9-98, 2-16-99, 2-17-00, 9-21-00, 8-13-02, 4-26-09.

Following discussion, Ms. Greenhalgh moved to approved the rule language. 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.

5. 64B8-54.001 Renewal of Electrologist License; Delinquent Renewal

This rule has been revised throughout to reflect current Department of Health procedures for biennial licensure renewal pursuant to Rule 64B-9.001, F.A.C. and Section 456.025(7), F.S. The Council was asked to determine whether it would approve the proposed rule modification.

64B8-54.001 Renewal of Electrologist License; Delinquent Renewal.

(1) Licensure shall be renewed at the end of each biennium prescribed by the Department in accordance with Rule 64B-9.001(4), F.A.C. the rules of the Department.

(2) One hundred and twenty (120) Ninety (90) days prior to the end of the biennium and automatic reversion of licensure to delinquent status, the Department shall mail a notice of renewal and possible reversion to the last known address of the license holder.

(3) Every license holder shall update the Department with any change of address, as required by 64B17-6.004 F.A.C. file with the Department the address of his primary place of service delivery within the state prior to engaging in same. Prior to changing such address, he shall notify the Department of the address of his new primary place of service delivery, whether or not within the state.

(4) In order to timely renew the licensure, the licensee shall apply and pay the biennial renewal fee online at www.flhealthsource.gov, or, mail the Department's renewal form prescribed in Rule 64B-9.001(1), F.A.C., with the required renewal fee to the address indicated on the form. Renewal by either format must be submitted before the expiration date of the license. Renewal forms can be obtained from the Department through the licensee's secure online account at www.flhealthsource.gov, or, by calling the Electrolysis Council Office at 850-245-4373, provide the Department with the following

(a) Completed renewal application form specified in subsection 64B8-52.003(1), F.A.C., and

(b) The biennial license renewal fee.

(5) Pursuant to Section 456.025(7), F.S., the Department has implemented an electronic continuing education tracking system, which is integrated into the licensure renewal system. Through this integrated system, each licensee's completion of the required continuing education hours is verified prior to renewal of the license. The Department will not complete a licensee's renewal until the required hours are verified. Licensees may obtain more information regarding reporting and tracking of continuing education hours at <http://www.flhealthsource.gov/requirements>.

~~(6)(5)~~ Failure to renew the license by the expiration date will result in the license becoming delinquent. A licensee holding a delinquent license cannot practice electrolysis until renewal of the delinquent license to active status is completed. In order to renew a delinquent license, the licensee must submit the required renewal fee, the delinquency fee, and proof of completion of the required continuing education.

~~(7)(6)~~ Failure to comply with the continuing education requirement shall prohibit renewal of licensure and result in the license being placed on delinquent status. Licensure may be renewed in accordance with the provisions of this chapter only upon completion of the 20 hour continuing education requirement. Hours earned to complete the 20 hour continuing education requirement for renewal of delinquent licensure may not be used toward the 20 hour requirement for the next biennium.

~~(8)(7)~~ If renewal of the delinquent license is requested more than one year following the expiration date of the last active license, the licensee must submit a total of thirty (30) hours of continuing education as required by subsection 64B8-54.002(3), F.A.C. If renewal of the delinquent license is requested during the one hundred and twenty (120) ninety (90) day renewal period prior to the rendering of the license null and void, the licensee must submit forty (40) hours of continuing education as set forth in required by Rule 64B8-52.003 subsection 64B8-54.002(3), F.A.C.

(9)(8) Failure to renew the delinquent license to either active or inactive status by the expiration date of the current renewal period shall render the license null and void without further action of the Council or Department.

Rulemaking Specific Authority 456.036, 478.43(1), (4), 478.50 FS. Law Implemented 456.036, 478.50 FS. History—New 9-29-93, Formerly 61F6-79.001, 59R-54.001, Amended 2-10-98, _____.

Following discussion, Ms. Greenhalgh moved to approve the rule language. 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

6. Rule Status Report

Ms. Norr presented the status of the following rules in progress:

- 64B8-50.003 Delegation of Powers and Duties to Electrolysis Council
- 64B8-51.001 Manner of Application
- 64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facility
- 64B8-52.004 Requirements for Approval of Training Programs Approved by the Board
- 64B8-53.001 Requirements for Electrolysis Training Programs Approved by the Board
- 64B8-53.002 Curriculum Standards for Electrolysis Training Programs.
- 64B8-53.003 Required Equipment for Electrolysis Training Programs
- 64B8-54.0041 Special Assessment Fee
- 64B8-55.001 Disciplinary Guidelines.
- 64B8-55.002 Citations.
- 64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices.

7. Sunshine Laws Refresher, Lynette Norr

Ms. Norr provided a brief overview of the Florida Sunshine Laws.

REPORTS

8. Council Chair – Jolynn Greenhalgh, DNP, ARNP Healthiest Weight Update

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

Executive Director – Allen Hall

9. Expenditures by Function

Informational Item

10. Cash Balance Report

Informational Item

NEW BUSINESS

11. Proposed Revision to 2016 Delegation of Authority

The Council reviewed and discussed a proposed revision to its Delegation of Authority. The revision will allow the Council Chair to approve requests for instructor changes for 30-Hour Laser and Light-Based Continuing Education providers in an effort to avoid potential delays that would cause disruptions in class offerings.

It was noted that the Chair would only have the ability to approve new instructor requests. Any determinations that would lean towards denial would be referred by the Chair for review and final action by the full Council at the next scheduled meeting.

Following discussion, Ms. Greenhalgh moved to approved the revised 2016 Delegation of Authority. Ms. Lapeyrouse seconded the motion, which carried 5/0.

OLD BUSINESS

12. May 16, 2016 Electrolysis Council Meeting Minutes

Ms. Greenhalgh moved to approve the May 16, 2016 Electrolysis Council meeting minutes. Ms. Lapeyrouse seconded the motion, which carried 5/0.

During the discussion of the minutes, Ms. Greenhalgh brought to the Council's attention that she would not be able to attend the October 17, 2016 Council Meeting at 2:00 pm due to her work schedule. Ms. Greenhalgh suggested the time be changed to 10:00 am. The Council agreed to the time change.

OTHER BUSINESS AND INFORMATION

13. Re-Appointment of Jolynn Greenhalgh

The Board of Medicine voted to reappoint Ms. Jolynn Greenhalgh to the Council. Ms. Greenhalgh's new term began July 10, 2016 and will end July 10, 2020.

14. June 2, 2016 Board of Medicine Rules/Legislative Committee Meeting

Informational Item

15. Staff Recognition

Informational Item

ADJOURNMENT

The meeting adjourned at 3:04 p.m.