

The Florida
Electrolysis Council

Minutes

December 8, 2014

Telephone Conference Call

1-888-670-3525

Participant Code 7811783909 #

Jolynn Greenhalgh, DNP, ARNP
Chair

Lina Grillo, LE
Vice-Chair

DRAFT
DEPARTMENT OF HEALTH
ELECTROLYSIS COUNCIL
GENERAL BUSINESS MEETING
DECEMBER 8, 2014
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 Electrolysis Council's website.

1 **Members Present**

2 Ms. Jolynn Greenhalgh, DNP, ARNP, Chair
3 Ms. Nilsa Lapeyrouse
4 Ms. Lina Grillo

Staff Present

Allen Hall, Executive Director
Anna King, Program Administrator

5 **Assistant Attorney General**

6 Marlene Stern, Assistant Attorney General

7 **2:00 p.m.**

8 **Call to Order – General Business Meeting**

9 Ms. Jolynn Greenhalgh called the meeting to order at approximately 2:00 p.m.

10 **ADMINISTRATIVE PROCEEDINGS**

11 **INDIVIDUAL CONSIDERATION**

12 **1. Sahar Teymorzadeh – Examination Applicant**

13 Ms. Teymorzadeh's application was before the Council for review of her application for licensure
14 by examination. Ms. Teymorzadeh was not present and not represented by legal counsel.

15 Following discussion, Ms. Nilsa Lapeyrouse moved to approve Ms. Teymorzadeh's application
16 by examination. Ms. Jolynn Greenhalgh seconded the motion, which carried 3/0.

17 **2. Rona Solomon – Endorsement Applicant, New Jersey**

18 Ms. Solomon was present and not represented by legal counsel.

19 Ms. Solomon was before the Council for review of her application for licensure by endorsement
20 of her active New Jersey Electrologist license. Provided for the Council's review were the
21 regulations for Electrologist licensure in New Jersey and Florida to determine whether the
22 requirements were substantially equivalent, as required by Section 478.47, Florida Statutes.

23 Following discussion, Ms. Jolynn Greenhalgh moved to approve Ms. Solomon's application by
24 endorsement. Ms. Lina Grillo seconded the motion, which carried 3/0.

1 **3. Julie Rivera – Endorsement Applicant, New York**

2 Ms. Rivera was present and not represented by legal counsel.

3 Ms. Rivera was before the Council for review of her application for licensure by endorsement of
4 her Electrology training and practice in the state of New York. Ms. Rivera was unable to provide
5 documentation of an active license or licensure regulations for the practice of Electrology in New
6 York, as required by Section 478.47, F.S. In lieu of that documentation, Ms. Rivera provided
7 proof of electrolysis training over 30 years ago at the Kree Institute of Electrolysis in New York,
8 New York. Additionally, Ms. Rivera provided proof of 320 hours of electrolysis training from a
9 Florida-approved school, which would qualify her for Florida licensure under the examination
10 method; however, she asked that the Council first consider her application under the
11 endorsement method.

12 Following discussion, Ms. Jolynn Greenhalgh moved to approve Ms. Rivera's application under
13 the examination application method. Ms. Nilsa Lapeyrouse seconded the motion, which carried
14 3/0.

15 With regard to Ms. Rivera's application by endorsement, Ms. Jolynn Greenhalgh moved to deny
16 approval under that method. Ms. Lina Grillo seconded the motion, which carried 3/0.

17 **320 HOUR ELECTROLYSIS TRAINING SCHOOL APPLICATION**

18 **4. Danik Beauty Academy**

19 Danik Beauty Academy's application to become a 320-hour electrolysis training school was
20 before the Council to determine compliance with the requirements of Rule Chapter 64B8-53,
21 Florida Administrative Code, Electrolysis Training Programs. Mr. German Segura was present
22 on behalf of the applicant and not represented by legal counsel.

23 Following discussion, Ms. Jolynn Greenhalgh moved to approve the application. Ms. Nilsa
24 Lapeyrouse seconded the motion, which carried 3/0.

25 **30-HOUR LIGHT-BASED & LASER HAIR REMOVAL CONTINUING EDUCATION (CE)**
26 **COURSE PROVIDER APPLICANTS**

27 **5. Dermalaser CE, CE Broker Provider Tracking No. 50-16981**

28 The Council reviewed the 30-hour continuing education provider application of Dermalaser CE
29 of Doral, Florida. Ms. Marisol Morales was present on behalf of the applicant and not
30 represented by legal counsel.

31 Following discussion, Ms. Nilsa Lapeyrouse moved to approve the application. Ms. Jolynn
32 Greenhalgh seconded the motion, which carried 3/0.

1 **6. Med Aesthetics Miami, LLC, CE Broker Provider Tracking No. 50-16844**

2 The Council reviewed the 30-hour continuing education provider application of Med Aesthetics
3 Miami, LLC, of Miami, Florida. Ms. Rosanna Bermejo was present on behalf of the applicant
4 and not represented by legal counsel.

5 Following discussion, Ms. Jolynn Greenhalgh moved to approve the application. Ms. Lina Grillo
6 seconded the motion, which carried 3/0. Ms. Greenhalgh suggested that Ms. Bermejo consider
7 revisiting and rewriting the statement of goals and objectives of the program from a more
8 scholarly perspective and also include Advanced Registered Nurse Practitioners (ARNPs) as
9 prospective enrollees in the program description.

10 **7. Sanctum Medspa, CE Broker Provider Tracking No. 50-16983**

11 The Council reviewed the 30-hour continuing education provider application of Sanctum
12 Medspa of Coral Gables, Florida. Ms. Amy Levin was present on behalf of the applicant and not
13 represented by legal counsel.

14 Following discussion, Ms. Jolynn Greenhalgh moved to approve the application. Ms. Nilsa
15 Lapeyrouse seconded the motion, which carried 3/0. Ms. Greenhalgh also suggested
16 improvements be incorporated in the statement of goals and objectives for this program.

17 **APPLICANT CERTIFICATION LIST**

18 **8. Examination Applicants**

19 The Examination Candidate Ratification List, revised December 4, 2014, was presented to the
20 Council for approval.

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

23 **RULES REVIEW AND DEVELOPMENT**

24 **9. 64B8-51.006, F.A.C., Rule Governing Licensure and Inspection of Electrology**
25 **Facilities**

26 The Council reviewed a rule modification proposal drafted by Ms. Stern to clarify that laser hair
27 removal electrolysis facilities are only required to provide proof that its electrologists have been
28 certified, at least one time, as a Certified Medical Electrologist (CME).

29 Ms. Judy Adams briefly addressed the Council regarding the draft. Mr. Jon Pellett, Esquire,
30 addressed the Council regarding a request for a rules workshop on this and other rules
31 referencing the CME requirement.

32 Following discussion, it was determined that Tabs 9 – 12 of the current agenda would be tabled
33 for discussion at a future meeting of the Council.

1 **10. 64B8-52.004, F.A.C., Requirements for Approval of Training Courses for Laser &**
2 **Light-Based Hair Removal Devices**

3 The Council had the opportunity to review a rule modification proposal drafted by Ms. Stern to
4 clarify that instructors of 30-hour laser and light-based hair removal courses are required to
5 obtain, at least one time, certification as a Certified Medical Electrologist.

6 As described in Tab 9, further discussion regarding this rule will be tabled for a future meeting of
7 the Council.

8 **11. 64B8-55.002, F.A.C., Citations**

9 The Council had the opportunity to review a rule modification proposal drafted by Ms. Stern to
10 clarify that failure to provide proof that each Electrologist using laser in an electrolysis facility
11 has been certified, at least one time as a Certified Medial Electrologist, is a citation violation.

12 As described in Tab 9, further discussion regarding this rule will be tabled for a future meeting of
13 the Council.

14 **12. 64B8-56.002, F.A.C., Equipment and Devices; Protocols for Laser and Light- Based**
15 **Devices**

16 The Council had the opportunity to review a rule modification proposal drafted by Ms. Stern to
17 clarify that, in order to provide laser and light-based hair removal or reduction, Electrologists
18 must have been certified, at least one time, by an approved national certification organization.
19 Additionally, a previously approved revision, not captured in the most current publication of the
20 rule, was provided for reconsideration. The revision removes the requirement for the Board of
21 Medicine to participate in approval of national certifying organizations for laser hair removal
22 certification.

23 As described in Tab 9, further discussion regarding this rule will be tabled for a future meeting of
24 the Council.

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

26 **13. Rule Status Report**

- 27
- 28 • 64B8-51.001, F.A.C., Manner of Application
 - 29 • 64B8-51.002, F.A.C., Licensure by Examination
 - 30 • 64B8-51.006, F.A.C., Rule Governing Licensure and Inspection of Electrology
Facilities
 - 31 • 64B8-52.004, F.A.C., Requirements for Approval of Training Courses for
32 Laser and Light-Based Hair Removal or Reduction
 - 33 • 64B8-56.002, F.A.C., Equipment and Devices; Protocols for Laser and Light-
34 Based Devices

35 Ms. Stern gave a brief status report of rules approved for development for the Council.

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DEPARTMENT OF HEALTH
ELECTROLYSIS COUNCIL
RULES REPORT – DECEMBER 2014

Rule Number	Title	Approved by Board	Sent to OFARR	Rule Dev. Published	Notice Published	Adopted	Effective
THE FOLLOWING RULES ARE IN PROCESS :							
64B8-52.003	Procedure for Approval of Attendance at Continuing Education Courses	04/__/14				-	
THE FOLLOWING RULES HAVE BEEN ADOPTED 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
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

5 **14. Status of Request to Board of Medicine to Withdraw Petition for Declaratory**
6 **Statement: Society for Clinical & Medical Hair Removal, Inc. re: CME Certification**

7 On August 1, 2014, the Florida Board of Medicine responded to the Petition for Declaratory
8 Statement filed by the Society for Clinical & Medical Hair Removal (SCMHR) re: CME
9 Certification, opining that Electrologists who wish to use laser or light-based equipment are
10 required to obtain CME certification one time and must have proof of having obtained that
11 certification present at all times.

12 SCMHR requested to withdraw the petition in August 2014, which was denied by the Florida
13 Board of Medicine during its meeting on October 10, 2014. The final order incorporating the
14 Board of Medicine’s decision for one time CME certification was filed on October 20, 2014.
15 A Notice of Administrative Appeal was filed by SCMHR with the Department on November 13,
16 2014.

17 Ms. Stern provided a brief summary on the appeal process indicating that the court will issue the
18 final decision. Ms. Stern explained that although the appeal process is ongoing, it will not
19 prevent the Council from moving forward with current rule development.

1 **15. December 10, 2014 Electrolysis Council Rules Workshop**

2 The Electrolysis Council will hold a face-to-face rules workshop on December 10, 2014 at 9:30
3 a.m. in Tallahassee. The purpose of the workshop is to hear public comment on the Board of
4 Medicine's directive to take a broader look at distinguishing licensure pathways for those who
5 want to use primarily laser equipment versus those who want to use epilator and laser
6 equipment.

7 Notice of the workshop was provided to the Council's interested parties list, approved 320-hour
8 Electrolysis training schools, approved 30-hour laser and light-based hair removal continuing
9 education providers and the Department of Health's current e-mail listing of actively licensed
10 Electrologists.

11 **16. Executive Director – Allen Hall**

12 Mr. Hall provided information on the following reports:

- 13 • Cash Balance Report
- 14 • Expenditures by Function
- 15 • Annual Financial Reports and Projections

16 Informational item

17 **NEW BUSINESS**

18 **17. Correspondence from Dr. Tali Arviv, MD, Owner, Arviv Medical Aesthetics**

19 Dr. Arviv was present and not represented by legal counsel.

20 The Council reviewed several items submitted by Dr. Arviv. Following extensive discussion, the
21 Council advised that many of the concerns expressed in Dr. Arviv's correspondence did not fall
22 under the purview of the Council, but might be better addressed by the Board of Medicine, or,
23 in some cases might require some other entity engaging in activities to bring forth her
24 suggestions for legislative consideration.

25 **OLD BUSINESS**

26 **18. Minutes from the September 15, 2014 Electrolysis Council Meeting**

27 The Council reviewed the minutes from the September 15, 2014 meeting of the Electrolysis
28 Council. Ms. Jolynn Greenhalgh moved to approve the minutes. Ms. Lina Grillo seconded the
29 motion, which carried 3/0.

1 **OTHER BUSINESS AND INFORMATION**

2 **19. MQA Annual Board Chair/Vice Chairs Meeting**

3 Informational item

4 **20. Final Order: Dawn Poirier, EO 1244, DOH Case No. 2013-02257**

5 Informational item

6 **Adjournment**

7 The meeting adjourned at 3:45 p.m.