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
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.

<table>
<thead>
<tr>
<th>Members Present</th>
<th>Staff Present</th>
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<tbody>
<tr>
<td>Ms. Jolynn Greenhalgh, DNP, ARNP, Chair</td>
<td>Allen Hall, Executive Director</td>
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<tr>
<td>Ms. Nilsa Lapeyrouse</td>
<td>Anna King, Program Administrator</td>
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<td>Ms. Lina Grillo</td>
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<tr>
<th>Assistant Attorney General</th>
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<td>Marlene Stern, Assistant Attorney General</td>
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2:00 p.m.
Call to Order – General Business Meeting

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

ADMINISTRATIVE PROCEEDINGS

INDIVIDUAL CONSIDERATION

1. Sahar Teymorzadeh – Examination Applicant

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

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

2. Rona Solomon – Endorsement Applicant, New Jersey

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

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

Following discussion, Ms. Jolynn Greenhalgh moved to approve Ms. Solomon’s application by endorsement. Ms. Lina Grillo seconded the motion, which carried 3/0.
3. **Julie Rivera – Endorsement Applicant, New York**

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

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

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

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

4. **Danik Beauty Academy**

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

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

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

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

Following discussion, Ms. Nilsa Lapeyrouse moved to approve the application. Ms. Jolynn Greenhalgh seconded the motion, which carried 3/0.
6. Med Aesthetics Miami, LLC, CE Broker Provider Tracking No. 50-16844

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

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

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

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

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

APPLICANT CERTIFICATION LIST

8. Examination Applicants

The Examination Candidate Ratification List, revised December 4, 2014, 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 3/0.

RULES REVIEW AND DEVELOPMENT

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

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

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

Following discussion, it was determined that Tabs 9 – 12 of the current agenda would be tabled for discussion at a future meeting of the Council.
10. 64B8-52.004, F.A.C., Requirements for Approval of Training Courses for Laser & Light-Based Hair Removal Devices

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

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

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

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

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

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

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

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

REPORT OF ASSISTANT ATTORNEY GENERAL – Marlene Stern

13. Rule Status Report

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

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

### Rules Report

#### THE FOLLOWING RULES ARE IN PROCESS:

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Title</th>
<th>Approved by Board</th>
<th>Sent to OFARR</th>
<th>Rule Dev. Published</th>
<th>Notice Published</th>
<th>Adopted</th>
<th>Effective</th>
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<tbody>
<tr>
<td>64B8-52.003</td>
<td>Procedure for Approval of Attendance at Continuing Education Courses</td>
<td>04/__/14</td>
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#### THE FOLLOWING RULES HAVE BEEN ADOPTED IN THE PAST THREE (3) MONTHS:

<table>
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<tr>
<td>64B8-51.001</td>
<td>Manner of Application</td>
<td>06/05/14</td>
<td>08/27/14</td>
<td>08/29/14</td>
<td>09/16/14</td>
<td>11/07/14</td>
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<tr>
<td>64B8-51.002</td>
<td>Licensure by Examination</td>
<td>06/05/14</td>
<td>08/18/14</td>
<td>08/19/14</td>
<td>09/12/14</td>
<td>11/07/14</td>
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<tr>
<td>64B8-51.006</td>
<td>Rule Governing Licensure and Inspection of Electrology Facilities</td>
<td>06/05/14</td>
<td>08/18/14</td>
<td>08/19/14</td>
<td>09/12/14</td>
<td>12/05/14</td>
<td>12/25/14</td>
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<tr>
<td>64B8-52.004</td>
<td>Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction</td>
<td>06/05/14</td>
<td>08/18/14</td>
<td>08/19/14</td>
<td>09/12/14</td>
<td>12/01/14</td>
<td>12/21/14</td>
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<tr>
<td>64B8-56.002</td>
<td>Equipment and Devices; Protocols for Laser and Light-Based Devices</td>
<td>06/05/14</td>
<td>08/18/14</td>
<td>08/19/14</td>
<td>09/12/14</td>
<td>10/15/14</td>
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### 14. Status of Request to Board of Medicine to Withdraw Petition for Declaratory Statement: Society for Clinical & Medical Hair Removal, Inc. re: CME Certification

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

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

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

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

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

16. Executive Director – Allen Hall

Mr. Hall provided information on the following reports:

- Cash Balance Report
- Expenditures by Function
- Annual Financial Reports and Projections

Informational item

NEW BUSINESS

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

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

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

OLD BUSINESS

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

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

19. MQA Annual Board Chair/Vice Chairs Meeting
   Informational item

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

Adjournment

The meeting adjourned at 3:45 p.m.