The Florida Electrolysis Council

Draft Minutes

Rules Workshop
December 10, 2014
9:30 a.m. EST

Florida Department of Health
Southwood Capital Circle Office Complex
4052 Bald Cypress Way, Conference Room 301
Tallahassee, FL

Jolynn Greenhalgh, DNP, ARNP
Chair

Lina Grillo, LE
Vice-Chair
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.

Members Present
Ms. Jolynn Greenhalgh, DNP, ARNP, Chair
Ms. Nilsa Lapeyrouse

Staff Present
Allen Hall, Executive Director
Anna King, Program Administrator

Members Absent
Ms. Lina Grillo

Attorney General’s Office
Marlene Stern, Assistant Attorney General
Florida Electrolysis Council

Edward Tellechea, Chief Attorney
Florida Board of Medicine

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9:30 a.m.
Call to Order – Rules Workshop

Ms. Marlene Stern, Assistant Attorney General, opened the workshop with introductions of the Council members and staff present. Ms. Stern stated that this meeting was noticed to obtain public comment on the following rules:

- 64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities
- 64B8-52.004 Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction
- 64B8-53.002 Curriculum Standards for Electrolysis Training Programs
- 64B8-55.001 Disciplinary Guidelines
- 64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices

The focus of the workshop was on the Board of Medicine’s directive to take a broader look at distinguishing licensure pathways for those who want to primarily use laser equipment versus those who want to use epilator and laser equipment.

Mr. Edward Tellechea added that the Board was interested in seeing the regulatory structure catch up with modern practice and streamlining requirements to remove those which were harsh or unnecessary. The Board’s goal is to make it easier for small businesses to operate more efficiently.
Comments were received from workshop attendees in the order each signed into address the Council. Below are brief summaries of the comments offered by each participant. A full transcript of the rules workshop may be obtained by ordering same from the court reporting service, For the Record, of Tallahassee, FL.

Ms. Jessica A. Brasington, licensed Florida Electrologist, addressed the Council. Ms. Brasington indicated her support for traditional Electrolysis training being retained and required for all licensed Electrologists, even those who only plan to offer laser hair removal services. Ms. Brasington indicated that the electrolysis curriculum provided foundational knowledge for licensees, which would assist in providing optimal services to clients.

In terms of the number of hours of practical hands-on laser hair removal training, Ms. Brasington indicated she did not believe the 5 hours currently required for the 30-hour laser hair removal continuing education course was sufficient. Ms. Brasington indicated the hands-on training in laser should be incorporated throughout the training program to include 10 to 20 hours of hands-on with the laser equipment. She added that when new lasers are introduced in a practice, the laser companies also often offer up to 2 days of in-house training; however, the 30-hour course is needed to provide the general knowledge needed for operation of any laser for hair removal.

Mr. Jon Pellet, Esquire, representative for the Society for Clinical and Medical Hair Removal (SCMHR), and, Dr. Catherine Anne Walton, licensed Florida Chiropractic Physician, Massage Therapist, Licensed Practical Nurse and Electrologist, addressed the Council. Mr. Pellet inquired concerning the scheduling of a separate workshop to discuss the rules regarding laser hair removal certification. Ms. Stern confirmed that a separate workshop would be scheduled.

Mr. Pellet indicated that the SCMHR is willing to support lobbying for the indirect supervision of licensed Electrologists providing laser hair removal services. Currently, Florida law and rule requires that licensed Electrologists must have direct supervision by a physician licensed under Chapter 458 or 459, Florida Statutes, any time laser hair removal services are provided.

Mr. Pellet also mentioned that although SCMHR is neutral with regard to the facility inspection requirements, some of his other clients have expressed that the rule requirements for traditional electrolysis equipment to be on site, in laser-only facilities, is an unnecessary expense and burden on Electrologists. Mr. Tellechea indicated that the Board of Medicine has previously expressed concerns about the impact of those provisions as well.

Mr. Pellet also commented that a curriculum outline had been previously submitted to the Council Office at some point in 2010 – 2011, on behalf of Vector Institute. Council staff will look into whether this document is still available and provide for future consideration.

Dr. Walton stated that it appears, based on requirements in other health care professions for which she holds a license, that trends are towards more education and training, rather than less. Dr. Walton indicated that she believed laser hair removal training should be incorporated in the electrolysis training.
Mr. Ronald Brunette, licensed Florida Electrologist, 320-hour electrolysis training school owner and 30-hour laser hair removal continuing education provider, indicated he also believes that the traditional Electrolysis Council training is a good foundation for all Electrologists. Upon inquiry, Mr. Brunette indicated that he believed the cost of incorporating laser hair removal training into the electrolysis training curriculum would be significant due to the cost of lasers potentially ranging between $50,000 and $150,000.

Ms. Jennifer Brannan, licensed Florida Electrologist, provided information as an individual who provided laser services in another state. Ms. Brannan indicated the extraordinary cost of being able to continue practice when moving to Florida due to the number of requirements and lack of availability of electrolysis training in the area of the state to which she relocated. Ms. Brannan indicated that she is in favor of three pathways for training and licensure: 1) laser only; 2) electrolysis only and 3) electrolysis and laser hair removal combined. Ms. Brannan indicated that she did not believe that the 30-hour continuing education class in laser hair removal was sufficient.

Mr. Larry Gonzalez, Esquire, spoke on behalf of his client, the Electrolysis Society of Florida (ESF), Inc. Mr. Gonzalez stated that the ESF has drafted a bill and has sponsors to eliminate the requirement for direct supervision of Electrologists when they are providing laser hair removal services. Mr. Gonzalez further stated that all required training should be included in the basic curriculum and that any existing overlapping requirements should be addressed. It was also mentioned that the rule regarding electrolysis facility requirements should be revised to distinguish between the requirements for electrolysis and laser-only facilities.

Ms. Dulce Canaveral, licensed Florida Electrologist, 320-hour electrolysis training school owner and 30-hour laser hair removal continuing education provider, indicated that there are currently overlaps in the electrolysis and laser hair removal training requirements. Ms. Canaveral indicated that she believed the transition of incorporating the laser requirements into the electrolysis curriculum would be a relatively easy transition. Ms. Canaveral mentioned that a training scenario might include the required 120 academic hours with 100 hours of practical electrolysis training and 100 hours of laser training. Ms. Nilsa Lapeyrouse indicated that 50 hours would be more than enough in terms of practical training in Electrolysis.

Mr. Pellet offered that there will be an adverse impact on “some” small businesses regardless of what changes are made. It was stated that focus should also be given to ongoing education and training and that legislative changes may be required.

Prior to the adjournment of the meeting, it was stated that once the final rule changes are determined, a future effective date should be included in the rule to allow time for the schools to make the required updates to the curriculum.

The meeting adjourned at approximately 1:00 p.m.