

The Florida
Electrolysis Council

DRAFT Minutes

January 13, 2020

Telephone Conference Call 1-888-585-9008

Participant Code 564-341-766 #

Jolynn Greenhalgh, DNP, APRN, RE, Chair
Sarah Gray, Esquire, Vice-Chair

Minutes

**DEPARTMENT OF HEALTH
ELECTROLYSIS COUNCIL
GENERAL BUSINESS MEETING
BY TELEPHONE CONFERENCE CALL
JANUARY 13, 2020**

DIAL-IN NUMBER: 1-888-585-9008

When prompted, enter the following conference room number:

564-341-766, 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. The Council Chair may adjust the sequence of the agenda items. The minutes reflect the actual sequence of events rather than the original agenda order.

1 **10:00 a.m. (ET)**

2 Call to Order – General Business Meeting

3 Ms. Jolynn Greenhalgh, Chair, called the general business meeting to order at approximately
4 10:04 a.m. Those present for all or part of the meeting included the following:

5 **Members Present**

6 Ms. Jolynn Greenhalgh, DNP, APRN, RE, Chair
7 Ms. Sarah Gray, Esquire
8 Ms. Erin Wiedemer, PMP
9 Ms. Rosanna Bermejo, RE

Staff Present

Allen Hall, Executive Director
Anna King, Program Administrator

10 **Assistant Attorney General**

11 Rachelle Munson, Esquire

12 **Additional Persons Present**

13 Ms. Judy Adams, RE
14 Mr. Ronald Dilworth, ISU Administrator
15 Mr. Gregory Ramer, Council Consumer
16 Member Candidate

17 **PERSONAL APPEARANCE PURSUANT TO SECTION 456.013(3)(c) F.S.**

18 1. Haneen Kahala, Examination

19 Ms. Kahala was present and not represented by legal counsel.

20 Ms. Kahala's application was before the Council for review of documentation submitted as proof
21 of completion of a high school or a high school equivalency diploma. During the October 2019
22 meeting of the Council, it was determined Ms. Kahala would be required to make a personal
23 appearance to further discuss her fulfillment of this requirement.

24 Following discussion, Ms. Greenhalgh moved to approve the application for licensure. Ms. Gray
25 seconded the motion, which carried 4/0.

1 **INDIVIDUAL CONSIDERATIONS**

2 2. Oksana Pokrasov, Endorsement

3 Ms. Pokrasov was present and not represented by legal counsel.

4 Ms. Pokrasov applied for Florida Electrologist licensure by Endorsement of her New Jersey
5 Electrologist License issued in April 2008. The application and regulations were presented to
6 the Council to determine whether the 2008 Electrologist licensure requirements in New Jersey
7 were substantially equivalent to those in Florida.

8 Following discussion, Ms. Greenhalgh moved to approve the application for licensure. Ms. Gray
9 seconded the motion, which carried 4/0.

10 3. Ritta Hanna, Examination

11 Ms. Hanna was present and not represented by legal counsel.

12 Ms. Hanna appeared before the Council for consideration of her application by Examination.
13 Ms. Hanna's application became complete for action by the Council on October 4, 2019. Ms.
14 Hanna waived the 90-days for Board action on her application on December 23, 2019. The
15 Council Chair required her personal appearance at the instant meeting on January 1, 2020.

16 Following discussion, Ms. Greenhalgh moved to approve the application for licensure. Ms. Gray
17 seconded the motion, which carried 4/0.

18 **320-HOUR COMBINED ELECTROLYSIS TRAINING PROGRAM**

19 4. Boca Beauty Academy - Parkland

20 Boca Beauty Academy representatives, Mr. David Colozzi, Ms. Guadalupe Herrera and Ms.
21 Roxana Spirea were present.

22 Boca Beauty Academy, Parkland Campus, submitted documentation for consideration as a 320-
23 Hour Combined Electrolysis Training Program, pursuant to Rule Chapter 64B8-53, F.A.C.,
24 Electrolysis Training Programs. Boca Beauty's CIE license is pending the Council's approval of
25 the training program. The Council was asked to consider approval contingent upon the issuance
26 of the CIE license, as required by Rule 64B8-53.001(1), F.A.C.

27 Following discussion, Ms. Greenhalgh moved to approve the 320-Hour Combined Electrolysis
28 Training Program. Ms. Greenhalgh then amended the motion to approve the program
29 contingent upon the issuance of the CIE license and submission of same to the Council Office
30 within 6 months. Ms. Gray seconded the amended motion, which carried 4/0.

31 **LICENSURE RATIFICATION LIST**

32 5. Licensed Electrologists

33 The Examination Candidate Ratification List was presented to the Council for approval.

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1 Ms. Greenhalgh moved to approve the list of examination candidates. Ms. Gray seconded the
2 motion, which carried 4/0.

3 *At this point in the meeting, the Chair re-ordered the agenda for discussion on Tabs 13-17.*

4 **NEW BUSINESS**

5 13. Council Member Vacancies

6 The Council was advised of two (2) consumer vacancies and one (1) professional member
7 vacancy on the Council and efforts to fill same. The terms of Consumer Members, Ms. Sarah
8 Gray and Ms. Erin Wiedemer, expired on December 3, 2019. As of December 27, 2019, Ms.
9 Wiedemer notified her service will officially end after the January 13, 2020 meeting.

10 The Council was presented with Consumer Member applications submitted by the following:

- 11 • Ms. Sarah Gray, Esquire
- 12 • Mr. Gregory Ramer

13 Mr. Gregory Ramer was present. Following discussion, the Council took the following actions.

14 **MOTION:**

15 Ms. Greenhalgh moved to approve Ms. Sarah Gray's re-appointment application for
16 recommendation to the Florida Board of Medicine. Ms. Wiedemer seconded the motion, which
17 carried 3/0. Ms. Gray abstained from voting.

18 **MOTION:**

19 Ms. Greenhalgh moved to approve Mr. Gregory Ramer's appointment application for
20 recommendation to the Florida Board of Medicine. Ms. Gray seconded the motion, which carried
21 4/0.

22 Ms. Gray and Mr. Ramer's applications will be submitted for appointment consideration at the
23 next scheduled Board of Medicine meeting.

24 14. 2020 Council Officer Elections

25 Ms. Jolynn moved to approve the following persons nominated for 2020 Council officers.

Position	Nominee
Council Chair	Jolynn Greenhalgh
Council Vice Chair	Sarah Gray
Unlicensed Activity Liaison	Sarah Gray
Budget Liaison	Jolynn Greenhalgh
Education Liaison	Rosanna Bermejo
Legislative Liaison	Jolynn Greenhalgh

26 Ms. Gray seconded the motion, which carried 4/0.

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1 15. 2020 Conviction Record Guidelines

2 The Conviction Record Guidelines, reviewed and approved by the Boards/Councils annually,
3 are used by staff to assist in determining which licensure applications require individual
4 consideration at the quarterly meetings.

5 Following discussion, Ms. Greenhalgh moved to approve the 2020 Conviction Record
6 Guidelines. Ms. Gray seconded the motion, which carried 4/0.

7 16. 2020 Delegation of Authority

8 The Delegation of Authority, reviewed and approved annually, facilitates administrative
9 efficiency and documents when individuals or entities have been delegated to act on behalf of a
10 Board/Council.

11 Following discussion, Ms. Greenhalgh moved to approve the 2020 Delegation of Authority.
12 Ms. Gray seconded the motion, which carried 4/0.

13 17. 2021 Proposed Council Meeting Dates

14 The following dates were presented for the Council's consideration.

- 15 • January 11
- 16 • April 19
- 17 • July 12
- 18 • October 4

19 Following discussion, Ms. Greenhalgh moved to approve the 2021 Council Meeting Dates.
20 Ms. Gray seconded the motion, which carried 4/0. Times for these meetings will be discussed
21 no later than the October 30, 2020 meeting.

22 *Ms. Gray left the conference call after voting on this agenda item. Thereafter, the Chair took up*
23 *Tab 6 of the agenda.*

24 **RULES REVIEW AND DEVELOPMENT**

25 6. Rule 64B8-55, F.A.C., Discipline & Licensure Restrictions

26 During the October 2019 Council Meeting, the Council determined to have its disciplinary
27 guidelines reviewed to ensure any updates resulting from other rule changes are reflected in
28 same. Ms. Munson advised she was currently reviewing and will present draft rule language to
29 the Council at the April 2020 meeting. Ms. Munson asked whether there were any additional
30 items the Council would like to consider.

31 Ms. Greenhalgh reiterated the need to look at the following when drafting updates for the
32 disciplinary guidelines: updated electrolysis facility inspection requirements and elimination of
33 the professional liability requirement.

34 **OTHER:** Ms. Judy Adams, RE, addressed the Council during this discussion, stating she would
35 like the Council to take a second look at eliminating the Certified Medical Electrologist (CME)
36 requirements for all Electrologists desiring to offer laser and light-based hair removal services.

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1 *At this point in the meeting, the Chair took up review of Tabs 8 and 9.*

2 8. Rule Status Report

3 Ms. Munson presented the following rule status report.

4

Rule Number	Rule Title	Dates Rule Language Voted on by Council	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
64B8-51.001	Manner of Application	07/01/19	2/08/19 08/02/19	2/22/19 (RD)	3/05/19 (RD) Vol. 45/44	09/11/19 Vol.45/No.177	10/14/19	11/03/19
64B8-51.006	Rule Governing Licensure and Inspection of Electrology Facilities	07/01/19	2/08/19 08/02/19	12/10/18 (RD)	12/18/18 (RD) Vol. 44/244	3/05/19 (RN) Vol. 45/44 03/07/19 JAPC letter 03/12/19 Atty Response 05/29/19 JAPC letter 5/30/19 Atty Response 5/30/19 Rule Tolled 09/25/19 Notice of Change 11/05/19 Notice of Change 12/03/19 Atty Response	12/11/19	12/31/19
64B8-52.003	Procedure for Approval of Attendance at Continuing Education Courses	07/01/19	08/02/19	7/17/18 (RD) 08/26/19(RN)	7/25/18 (RD) Vol. 44/144	09/05/19 Vol. 45/173 09/13/19 JAPC letter 09/18/19 JAPC Response 11/18/19 Notice of Change	12/16/19	01/05/19
64B8-56.002	Equipment and Devices; Protocols for Laser and Light-Based Devices	08/02/19	08/02/19	08/26/19	09/05/19 Vol. 45/173	09/20/19 Vol.45/184	10/21/19	11/10/19

5 9. Office of Fiscal Accountability and Regulatory Reform (OFARR) Enhanced Oversight of
6 Rulemaking Process

7 Ms. Munson presented correspondence from Governor Ron DeSantis providing notice of
8 changes to OFARR and rulemaking procedures. Noted was the new deadline of September 1st
9 for submission of annual regulatory plans to OFARR as well as the need to include a sunset
10 provision in all proposed or amended rules unless otherwise directed by applicable law.

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1 *At this point in the meeting, the Chair took up Tab 7 of the agenda.*

2 7. Discussion: Questions re: Training Program Rules & Requirements

3 The Council reviewed and provided feedback on the following questions regarding training
4 program requirements to determine whether rule development is needed to provide clarification.

5 Any rules determined to need further clarification will be presented at a future meeting.

6 **Question 1: Must training programs have the laser and light-based machines for the**
7 **hands-on portion of the training on campus at “all times”, or, may the equipment be**
8 **brought on site “only” when the hands-on training is to be conducted & for initial and**
9 **routine facility inspections?**

10 Ms. Adams addressed the Council to indicate support for having all equipment on site for
11 reference throughout the 320-Hour pre-licensure electrolysis training program. Ms. Adams
12 mentioned the requirements for the laser equipment should be no different than that of having
13 the other required equipment continuously on site. Lastly, Ms. Adams noted that used laser
14 machines could serve as an affordable alternative to purchasing new machines.

15 Ms. Greenhalgh suggested the following change to Rule 64B8-53.001(6), F.A.C.:

16 **64B8-53.001 General Requirements for Pre-licensure Electrolysis Training Programs.**

17 A pre-licensure electrolysis training program must demonstrate that it will comply with the following general
18 requirements in order to be approved by the Council:

19 (6) All students ~~in the clinical application phase~~ of an electrolysis training program, as described in subsection
20 64B8-53.002(2), F.A.C., shall have access to the equipment needed for the procedure being taught.

21 *Rulemaking Authority 478.43(1), (4) FS. Law Implemented 478.43(4), 478.45(1)(e), 478.50(4)(b) FS. History—New 9-*
22 *29-93, Formerly 61F6-78.001, Amended 6-19-96, Formerly 59R-53.001, Amended 11-13-97, 2-15-07, 2-15-17.*

23 **Question 2: Are training program instructors required to hold an active Electrologist**
24 **license and have met laser and light-based hair removal training requirements to be**
25 **approved?**

26 Ms. Greenhalgh suggested the Council amend Rule 64B8-53.001(9)(c), F.A.C. to specify
27 licensure and experience training requirements for 320-Hour pre-licensure electrolysis training
28 program instructors. The training program instructor requirements currently lists only the
29 following:

30 **64B8-53.001 General Requirements for Pre-licensure Electrolysis Training Programs.**

31 A pre-licensure electrolysis training program must demonstrate that it will comply with the following general
32 requirements in order to be approved by the Council:

33 (9) The facility where initial training is offered shall submit to the Council at least the following:

34 (c) A current curriculum vitae of the course instructor(s);

35 *Rulemaking Authority 478.43(1), (4) FS. Law Implemented 478.43(4), 478.45(1)(e), 478.50(4)(b) FS. History—New 9-29-93,*
36 *Formerly 61F6-78.001, Amended 6-19-96, Formerly 59R-53.001, Amended 11-13-97, 2-15-07, 2-15-17.*

1 **Question 3: Must changes to training program instructors be approved by the Council (or**
2 **its delegate)?**

3 It was agreed that changes to 320-Hour pre-licensure electrolysis training program instructors
4 should be considered and approved by the Council or its delegate.

5 This provision is not currently listed, in any form, within the Council's regulations. Ms. Munson
6 will assist the Council in determining appropriate placement.

7 **Question 4: Must the hands-on instruction in laser and light-based equipment conducted**
8 **by the instructor be supervised by a physician?**

9 Ms. Adams mentioned she would pose this inquiry to the Electrolysis Society of Florida's (ESF)
10 Board.

11 **Question 5: May the physician provide the hands-on instruction "instead of" the**
12 **approved training program instructor?**

13 Following discussion, it was determined that any physicians that would serve in an instructional
14 capacity within a 320-Hour pre-licensure electrolysis training program, should be listed along
15 with other instructors in the program.

16 **Question 6: For facility licensure, must training program instructors present proof of**
17 **laser and light-based hair removal qualifications and the written protocols as required in**
18 **facility requirements Rule 64B8-51.006(3)(c), F.A.C.?**

19 Ms. Greenhalgh mentioned that written protocols would be needed.

20 *At this point in the meeting, the Chair took up Tabs 10-12 of the agenda.*

21 **REPORT OF ASSISTANT ATTORNEY GENERAL – Rachelle Munson, Esquire**

22 **REPORTS, IF ANY**

23 10. Council Chair – Jolynn Greenhalgh, DNP, ARNP

24

- Other Council Members:

25 Neither Ms. Greenhalgh nor other Council members had items to report.

26 11. Executive Director - Allen Hall

27

- Cash Balance Report

28

- Expenditures by Function Report

29 Mr. Hall presented the noted reports for the Council's information.

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1 **OLD BUSINESS**

2 12. October 7, 2019, Electrologist Council Meeting Minutes

3 Ms. Greenhalgh moved to approve the October 7, 2019, Electrolysis Council Meeting Minutes.

4 Ms. Wiedemer seconded the motion, which carried 3/0.

5 *At this point in the meeting, the Chair took up Tabs 18-19 of the agenda.*

6 **OTHER BUSINESS AND INFORMATION**

7 18. Spotlight on Unlicensed Activity

8 Informational item provided to the Council.

9 19. Final Order: Amaralis E. Danser, DOH Case No. 2018-22358

10 Informational item provided to the Council.

11 **ADJOURNMENT**

12 The meeting adjourned at 11:52 a.m.