

The Florida
Electrolysis Council

Draft Minutes

January 8, 2018

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
BY TELEPHONE CONFERENCE CALL
JANUARY 8, 2018**

DIAL-IN NUMBER: 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.

Members Present

Jolynn Greenhalgh, DNP, ARNP, RE, Chair
Lina Grillo, RE
Sarah Gray, Esquire
Erin Wiedemer, PMP

Staff Present

Allen Hall, Executive Director
Anna King, Program Administrator

Assistant Attorney General

Rachelle Munson, Esquire

Additional Persons Present

Judy Adams, Licensed Electrologist
Sandy Allen, Esquire
Jon Pellet, Esquire

2:00 p.m. (EST)

Call to Order – General Business Meeting

PERSONAL APPEARANCE PURSUANT TO §456.013(3)(c), FLORIDA STATUTES

1. Christine Castellano, Examination Applicant

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

Ms. Castellano's application was before the Council for review of her application under the licensure by examination method. Following discussion, the Council informed Ms. Castellano the following would be required for further consideration of her application:

- an updated transcript, or other official documents from her training program, showing completion of 320 hours of electrolysis training to include 200 hours of practical training as well as the required academic training; and
- a breakdown of subjects completed.

Ms. Castellano stated on the record that she would like to waive the 90-days for Council action on her application to obtain the additional information requested for its consideration at the April 2018 meeting.

INDIVIDUAL CONSIDERATIONS

2. Euclides Munoz Perez, Examination Applicant

Mr. Munoz Perez was not present and not represented by legal counsel.

Mr. Munoz Perez' application was before the Council for review under the licensure by examination method. Following discussion, Ms. Jolynn Greenhalgh moved to approve the application by examination. Ms. Sarah Gray seconded the motion, which carried 4/0.

3. Lillian Marie Sanders, Examination Applicant

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

Ms. Sanders' application was before the Council for review under the licensure by examination method. Following discussion, Ms. Jolynn Greenhalgh moved to approve the application by examination. Ms. Sarah Gray seconded the motion, which carried 4/0.

REVIEW OF COMBINED MODALITY 320-HOUR ELECTROLYSIS TRAINING PROGRAMS

4. ASM Beauty World Academy, Inc.

ASM Beauty World Academy, Inc., was before the Council for consideration of its proposed 320-hour combined modality electrolysis training program. Ms. Letty Milazzo was present on behalf of the training program.

Following discussion, Ms. Milazzo withdrew the application to pursue the Council's request to ensure all equipment required to train students in the new curriculum, as provided for in Rule 64B8-53.003, F.A.C., and Rule 64B8-51.006(3), F.A.C., is acquired and verified through an updated electrolysis facility inspection by the Department of Health.

5. Beauty Schools of America (Hialeah Campus)

The Beauty Schools of America (Hialeah Campus) representatives were not present and not represented by legal counsel. The training program's proposed 320-hour combined modality electrolysis training program was before the Council for consideration.

Following discussion, Ms. Jolynn Greenhalgh moved to approve the combined epilator, laser and light-based hair removal training program contingent upon receipt of the following for her approval as Council Chair: an updated inspection within 30 days that includes the name of the supervising physician as well as his or her license number. Ms. Lina Grillo seconded the motion, which carried 4/0.

6. Beauty Schools of America (Homestead Campus)

The Beauty Schools of America (Homestead Campus) representatives were not present and not represented by legal counsel. The training program's proposed 320-hour combined modality electrolysis training program was before the Council for consideration.

Following discussion, Ms. Jolynn Greenhalgh moved to approve the combined epilator, laser and light-based hair removal training program contingent upon receipt of the following for her approval as Council Chair: an updated inspection within 30 days that includes written designation of the laser safety officer; written protocols; the supervising physician's information

and correction of any other deficiencies noted in the program's electrolysis facility licensure inspection on January 4, 2018. Ms. Lina Grillo seconded the motion, which carried 4/0.

7. Bellasa Professional Institute

Bellasa Professional Institute representatives were not present and not represented by legal counsel. The training program's proposed 320-hour combined modality electrolysis training program was before the Council for consideration.

Following discussion, Ms. Jolynn Greenhalgh moved to deny the combined 320-hour epilator, laser and light-based hair removal training program due to failure to comply with all of the training equipment requirements of Rule 64B8-53.003, F.A.C., and Rule 64B8-51.006(3), F.A.C. The training program will have 14 days to withdraw to avoid a permanent record of denial of its program. Ms. Sarah Gray seconded the motion, which carried 4/0.

8. Daytona College

Daytona College withdrew its 320-hour combined modality electrolysis training program from consideration prior to the meeting.

9. Florida Medical College (DC Health Management)

Florida Medical College (DC Health Management) representatives were not present and not represented by legal counsel. The training program's proposed 320-hour combined modality electrolysis training program was before the Council for consideration.

Following discussion, Ms. Jolynn Greenhalgh moved to approve the combined 320 hour epilator, laser and light-based hair removal training program of Florida Medical College (DC Health Management). Ms. Lina Grillo seconded the motion, which carried 4/0.

At this point in the meeting, Ms. Greenhalgh reordered the agenda to consider Tab 11.

11. Hollywood Institute of Beauty Careers (Hollywood Campus)

Hollywood Institute of Beauty Careers (Hollywood Campus) was before the Council for consideration of its proposed 320-hour combined modality electrolysis training program. Ms. Nicole Vitez was present on behalf of the training program.

Following discussion, Ms. Greenhalgh moved to approve the combined 320 hour epilator, laser and light-based hair removal training program of Hollywood Institute of Beauty Careers (Hollywood Campus). Ms. Lina Grillo seconded the motion, which carried 4/0.

After further discussion, Ms. Greenhalgh moved to rescind the prior motion and approve the combined 320 hour epilator and laser program of Hollywood Institute of Beauty Careers (Hollywood Campus) contingent upon receipt of the following for her approval as Council Chair: proof of registration for each laser or light-based device in use at the facility as required by Section 501.122, F.S., per Rule 64B8-51.006(3)(c)3., F.A.C. Ms. Lina Grillo seconded the motion, which carried 4/0.

Tab 10 was taken up for consideration at this point in the meeting.

10. Hollywood Institute of Beauty Careers (Casselberry Campus)

Hollywood Institute of Beauty Careers (Casselberry Campus) was before the Council for consideration of its proposed 320-hour combined modality electrolysis training program. Ms. Nicole Vitez was present on behalf of the training program.

Following discussion, Ms. Greenhalgh moved to approve the combined 320 hour epilator, laser and light-based program of Hollywood Institute of Beauty Careers (Casselberry Campus) contingent upon receipt of the following for her approval as Council Chair: an updated electrolysis facility inspection, within 60 days, showing the campus will use the same piece of properly registered laser equipment for training as located at the Hollywood Institute of Beauty Career's Hollywood campus. Ms. Sarah Gray seconded the motion, which carried 4/0.

The regular order of the agenda was resumed at Tab 12.

12. Hollywood Institute of Beauty Careers (West Palm Beach Campus)

Hollywood Institute of Beauty Careers (West Palm Beach Campus) was before the Council for consideration of its proposed 320-hour combined modality electrolysis training program. Ms. Nicole Vitez was present on behalf of the training program.

Following discussion, Ms. Greenhalgh moved to approve the combined 320 hour epilator, laser and light-based hair removal training program of Hollywood Institute of Beauty Careers (West Palm Beach Campus) contingent upon receipt of the following for her approval as Council Chair: an updated electrolysis facility inspection, within 60 days, showing the campus will use the same piece of properly registered laser equipment for training as located at the Hollywood Institute of Beauty Career's Hollywood campus. Ms. Lina Grillo seconded the motion, which carried 4/0.

13. Total Nails and Hair Academy

Total Nails and Hair Academy representatives were not present and not represented by legal counsel. The training program's proposed 320-hour combined modality electrolysis training program was before the Council for consideration.

Following discussion, Ms. Jolynn Greenhalgh moved to deny the combined 320-hour epilator, laser and light-based hair removal training program due to failure to comply with all of the training equipment requirements of Rule 64B8-53.003, F.A.C., and Rule 64B8-51.006(3), F.A.C. The training program will have 14 days to withdraw to avoid a permanent record of denial of its program. Ms. Lina Grillo seconded the motion, which carried 4/0.

14. Parisian Spa & Institute

Parisian Spa & Institute was before the Council for consideration of its new application to become a 320-hour combined modality electrolysis training program. Ms. Linda Fontenot was present on behalf of the Institute.

Following discussion, Ms. Jolynn Greenhalgh moved to approve the combined 320 hour epilator, laser and light-based hair removal training program of Parisian Spa & Institute. Ms. Sarah Gray seconded the motion, which carried 4/0.

LICENSURE RATIFICATION LIST

15. Licensed Electrologists

The Examination Candidate Ratification List was presented to the Council for approval. Ms. Jolynn Greenhalgh moved to approve the list of examination candidates. Ms. Sarah Gray seconded the motion, which carried 4/0.

At this point in the meeting, Ms. Greenhalgh reordered the agenda to consider Tab 23.

23. 2018 Council Officer Elections

Position	Current Assignments	New Assignments
Council Chair	Jolynn Greenhalgh	Jolynn Greenhalgh
Council Vice Chair	Lina Grillo	Lina Grillo
Unlicensed Activity Liaison	Sarah Gray	Sarah Gray
Budget Liaison	Jolynn Greenhalgh	Jolynn Greenhalgh
Education Liaison	Vacant	Lina Grillo
Legislative Liaison	Jolynn Greenhalgh	Jolynn Greenhalgh
Healthy Weight Liaison	Jolynn Greenhalgh	Jolynn Greenhalgh

Ms. Jolynn Greenhalgh moved to approve the 2018 elected officers. Ms. Sarah Gray seconded the motion, which carried 4/0.

The regular order of the agenda was resumed at Tab 16.

RULES REVIEW & DEVELOPMENT

16. Rule 64B8-50.003, F.A.C., Delegation of Powers and Duties to the Electrolysis Council

Ms. Munson presented proposed rule language to delegate the authority to approve the Agency for Health Care Administration's Exemption from Disqualification Applications to the Electrolysis Council, as requested by the Board of Medicine at its October 2017 meeting.

Proposed Rule Language: 64B8-50.003 Delegation of Powers and Duties to Electrolysis Council.

(1) Pursuant to Section 478.43, F.S., the Board delegates to the Electrolysis Council the following powers and duties. *(No change)*

(a) Approval and denial of applicants for examination and applicants for endorsement. *(No change)*

(b) Approval and denial of continuing education providers and electrolysis training programs.

(c) Approval and denial of Agency for Healthcare Administration (AHCA) Exemptions pursuant to Section 435.07, Florida Statutes.

~~(d)~~ (e) The authority to accept non-disciplinary voluntary relinquishments. *(No change)*

~~(e)~~ (d) The authority to notice rules for development and to propose rules to the Board. *(No change)*

(2) Rulemaking proposals and petitions to adopt, amend, or repeal rules relating to the practice of electrology shall first be presented to the Council. The Council shall consider the matter and make recommendations to the Board as to the appropriate action to be taken. *(No change)*

Rulemaking Authority 478.43(1), (3) FS. Law Implemented 478.43(3), 435.07 FS. History--New 5-31-93, Formerly 21M-75.003, Amended 11-16-93, Formerly 61F6-75.003, 59R-50.003, Amended 2-11-08, 2-15-10, 11-7-16, _____.

Ms. Greenhalgh moved to approve the proposed rule language. Ms. Lina Grillo seconded the motion, which carried 4/0.

Ms. Greenhalgh moved the proposed rule language 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. Lina Grillo seconded the motion, which carried 4/0.

Ms. Greenhalgh moved the proposed rule language should not be designated as a minor violation for first time offenses. Ms. Lina Grillo seconded the motion, which carried 4/0.

17. Rule 64B8-51.001, F.A.C., Manner of Application

As part of a project to reduce noted deficiencies, the application form was revised to reflect suggested changes to produce a more efficient and timely application process for Electrologist licensure.

Proposed Rule Language: 64B8-51.001 Manner of Application.

(1) All persons applying for licensure as an electrologist shall submit a signed application to the Executive Director of the Council on forms provided by the Council and approved and incorporated herein by reference by the Board as Form DH-MQA 1164 entitled State of Florida Electrologist Licensure Application (revised ~~01-08-2018~~ ~~07-01-2016~~), with instructions, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07421> or <http://www.floridahealth.gov/licensing-and-regulation/electrolysis/>. The initial application must be accompanied by the application fee, as set forth in Rule 64B8-51.007, F.A.C.

(2) All applications must include an official transcript from a school of electrology which identifies the credits taken by home study or correspondence courses and those taken in classroom settings.

Rulemaking Authority 456.013, 478.43(1), (4) FS. Law Implemented 456.013, 456.0635, 478.45, 478.46, 478.47, 478.55 FS. History—New 5-31-93, Formerly 21M-76.001, Amended 11-10-93, Formerly 61F6-76.001, Amended 5-29-96, Formerly 59R-51.001, Amended 12-23-97, 5-28-00, 8-9-01, 2-15-04, 10-31-05, 2-11-08, 5-7-09, 5-13-10, 5-14-13, 11-27-14, 9-8-16.

Ms. Greenhalgh moved to approve the proposed rule language and the proposed form with amendments to #6. on page 2 of the application packet instructions, which will be provided for her review and approval as Council Chair after the meeting. Ms. Sarah Gray seconded the motion, which carried 4/0.

Ms. Greenhalgh moved the proposed rule language 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. Sarah Gray seconded the motion, which carried 4/0.

Ms. Greenhalgh moved the proposed rule language should not be designated as a minor violation for first time offenses. Ms. Lina Grillo seconded the motion, which carried 4/0.

18. Rule 64B8-51.002, F.A.C., Licensure by Examination

During the October 2017 meeting, the Council reviewed proposed changes to this rule as proposed by the SCMHR. The Council determined to discuss other possible alternative language at the January 2018 meeting. Ms. Munson provided the following proposed language

Proposed Rule Language: 64B8-51.002 Licensure by Examination.

(1) Every applicant for licensure as an electrologist by examination shall demonstrate to the Council that the applicant:

(a) Is at least 18 years old.

(b) Is of good moral character.

(c) Possesses a high school diploma, a graduate equivalency diploma, college diploma, university diploma, or technical school diploma if such college, university, or technical school required high school or graduate equivalency diploma for admission.

(d) Has not committed an act in any jurisdiction which would constitute grounds for disciplining an electrologist in this state.

(e) Has successfully completed the requirements of a pre-licensure an-electrolysis training program approved by the Council for: 120 hours academic training and a minimum of 200 hours of practical application.

1. The combined epilator, laser, and light-based curriculum defined in Rules 64B8-53.002, Florida Administrative Code, effective February 15, 2017; or

2. The epilator curriculum required for applicants who completed the training prior to March 1, 2018.

(f) Is not otherwise disqualified by reason of a violation of Chapter 456 or 478, F.S., or the rules promulgated thereunder.

(g) Has passed the examination required by Section 478.45(2), F.S.

(2) The Electrolysis Licensure Examination shall be any national examination approved by the Board for the practice of electrology the International Board of Electrologist Certification (IBEC) national examination.

(3) Each national examination provider shall set tThe minimum passing score for the examination shall be set by the national examination provider its exam.

(4) A candidate for licensure by examination who fails to pass the examination shall be required to retake the examination prior to issuance of a license. The application for re-examination of the licensure examination, as referenced in subsection (2) of this rule, shall be made on the Re-Examination Application form DH-MQA 1262 hereby adopted (6/14) and which can be accessed through <http://www.flrules.org/Gateway/reference.asp?No=Ref-04745> or <http://www.floridahealth.gov/licensing-and-regulation/electrolysis/>. Upon notice from the testing vendor of an applicant's unsuccessful scores, the Council Office will send the re-examination form to affected applicants.

Rulemaking Authority 478.43(1), (4) FS. Law Implemented 456.017, 456.0635, 478.45 FS. History--New 5-31-93, Formerly 21M-76.002, 61F6-76.002, Amended 7-11-95, Formerly 59R-51.002, Amended 11-13-97, 2-17-00, 5-28-00, 11-27-14, _____.

Ms. Jolynn Greenhalgh moved to approve the proposed application form and rule language.

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

Ms. Erin Wiedemier left the conference call at this point in the meeting.

Ms. Jolynn Greenhalgh moved the proposed rule language 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. Lina Grillo seconded the motion, which carried 3/0.

Ms. Jolynn Greenhalgh moved the proposed rule language should not be designated as a minor violation for first time offenses. Ms. Lina Grillo seconded the motion, which carried 3/0.

REPORT OF ASSISTANT ATTORNEY GENERAL – Rachelle Munson

19. Rules Status Report

Ms. Munson presented the rule status report consisting of the following:

- Rule 64B8-51.001, F.A.C., Manner of Application
- Rule 64B8-51.002, F.A.C., Licensure by Examination

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- Rule 64B8-51.006, F.A.C., Rule Governing Licensure and Inspection of Electrology Facilities
 - Rule 64B8-56.002, F.A.C., Equipment and Devices; Protocols for Laser and Light-Based Devices

Ms. Munson also presented information on the Minor Violation Certification Form. Rule 64B8-55.005, F.A.C., became effective as the Council's Notice of Noncompliance on October 18, 2017. The Minor Violation Certification Form is now a required part of the adoption package for rules designated as minor violations.

REPORTS

20. Council Chair – Jolynn Greenhalgh, DNP, ARNP Healthiest Weight Report, If any

No report.

21. Executive Director - Allen Hall

- Cash Balance Report
- Expenditures by Function

Reports were unavailable for this meeting.

NEW BUSINESS

22. Review of New Electrolysis Council Professional Member Application: Ms. Rosanna Bermejo, EO 2190

The Council reviewed Ms. Bermejo's application to serve as a professional member of the Council. Ms. Bermejo was present for the application review.

Ms. Greenhalgh moved to approve Ms. Bermejo's professional council member application for consideration by the Florida Board of Medicine. Ms. Lina Grillo seconded the motion, which carried 3/0.

At this point in the meeting, Ms. Greenhalgh reordered the agenda to consider Tab 27.

27. Status of Professional Electrolysis Council Member Application: Ms. Lina Grillo, EO 1920

Ms. Lina Grillo's application for reappointment was placed on the Board of Medicine's agenda for consideration on December 1, 2017. Ms. Grillo's application was tabled until the next meeting, as she did not receive proper notice for the meeting.

The regular agenda order was resumed at Tab 24.

24. 2018 Delegation of Authority

Ms. Jolynn Greenhalgh moved to approve the 2018 Delegation of Authority. Ms. Sarah Gray seconded the motion, which carried 3/0.

25. 2018 Conviction Records Guidelines

Ms. Jolynn Greenhalgh moved to approve the 2018 Conviction Records Guidelines. Ms. Lina Grillo seconded the motion, which carried 3/0.

OLD BUSINESS

26. October 23, 2017 Electrolysis Council Meeting Minutes

Ms. Jolynn Greenhalgh moved to approve the October 23, 2017 Electrolysis Council Meeting Minutes. Ms. Lina Grillo seconded the motion, which carried 3/0.

At this point in the meeting, Ms. Greenhalgh reordered the agenda to consider Tabs 28 and 29.

OTHER BUSINESS INFORMATION

28. DOH Final Order: Miuriz Diaz de Villega, EO 2806, DOH Case No. 2015-30919

Informational item provided for the Council's review.

29. DOH Final Order: Benafsha Perry Bamasi, EO 898, DOH Case No. 2017-00395

Informational item provided for the Council's review.

ADJOURNMENT

The meeting adjourned at approximately 5:09 p.m.