

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.

1 **Members Present**

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

Staff Present

Allen Hall, Executive Director
Anna King, Program Administrator

4 **Members Absent**

5 Ms. Lina Grillo

6 **Attorney General's Office**

7 Marlene Stern, Assistant Attorney General
8 Florida Electrolysis Council

9 Edward Tellechea, Chief Attorney
10 Florida Board of Medicine

11 **Court Reporter**

12 Lisa Babcock
13 For the Record Reporting
14 1500 Mahan Drive, Suite 140
15 P.O. Box 12042
16 Tallahassee, FL 32308
17 Phone: 850-222-5491
18 Fax: 850-224-5316
19 E-mail: fortherecord@tallahasseecourtreporting.com

20 **9:30 a.m.**

21 **Call to Order – Rules Workshop**

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

- 25 • 64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities
26 • 64B8-52.004 Requirements for Approval of Training Courses for Laser and Light-Based Hair
27 Removal or Reduction
28 • 64B8-53.002 Curriculum Standards for Electrolysis Training Programs
29 • 64B8-55.001 Disciplinary Guidelines
30 • 64B8-56.002 Equipment and Devices; Protocols for Laser and Light-Based Devices

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

34 Mr. Edward Tellechea added that the Board was interested in seeing the regulatory structure
35 catch up with modern practice and streamlining requirements to remove those which were harsh
36 or unnecessary. The Board's goal is to make it easier for small businesses to operate more
37 efficiently.

1 Comments were received from workshop attendees in the order each signed into address the
2 Council. Below are brief summaries of the comments offered by each participant. A full
3 transcript of the rules workshop may be obtained by ordering same from the court reporting
4 service, *For the Record*, of Tallahassee, FL.

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

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

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

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

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

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

35 Dr. Walton stated that it appears, based on requirements in other health care professions for
36 which she holds a license, that trends are towards more education and training, rather than less.
37 Dr. Walton indicated that she believed laser hair removal training should be incorporated in the
38 electrolysis training.

1 Mr. Ronald Brunette, licensed Florida Electrologist, 320-hour electrolysis training school owner
2 and 30-hour laser hair removal continuing education provider, indicated he also believes that
3 the traditional Electrolysis Council training is a good foundation for all Electrologists. Upon
4 inquiry, Mr. Brunette indicated that he believed the cost of incorporating laser hair removal
5 training into the electrolysis training curriculum would be significant due to the cost of lasers
6 potentially ranging between \$50,000 and \$150,000.

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

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

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

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

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

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