

MINUTES

**BOARD OF COSMETOLOGY
Department of Business and Professional Regulation
Hyatt Regency Jacksonville – Riverfront
225 East Coastline Drive
Jacksonville, Florida 322202**

Monday, April 27, 2009 – 9:00 a.m.

The Board of Cosmetology meeting was called to order at approximately 9:00 a.m., by Ms. Myra Jowers, Chair.

Board Members Present

Myra Jowers, Chair
Monica Smith
Ginny Fincel
Rosabel Ramos
Laurel Ritenbaugh

Board Members Absent

Donna Osborne, Vice Chair

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Ann Cocheu, Assistant Attorney General, Attorney General's Office
Lisa Comingore, Assistant Attorney General, Attorney General's Office
LeChea Parson, Assistant General Counsel, Office of the General Counsel, (DBPR)
Dana Ewaldt, Government Analyst, (DBPR)

Interested Parties Present

Denise Taylor, Court Reporter
Kirby Morris, Marketing Director, National Interstate Council of State Boards of Cosmetology (NIC)
Bonnie Poole, Florida Cosmetology Association
Chuck Chapman, Florida Cosmetology Association
Jerry Gardner, Elite CME
Nancy Bradley, Daytona College
David Beaudrie
Chris Collins
Eva Price, Florida Cosmetology Educators Online
Debbie Lewis, Florida Community College of Jacksonville (FCCJ)
Shawtae Rivers, FCCJ
Deborah Wesley, FCCJ
Shelley Sherman, FCCJ
Melissa Rosenbergen, FCCJ
Nancy Mattox, FCCJ
Janice Hall, FCCJ
Semone Blair, FCCJ
Stanley Holsey, FCCJ
Glynis Harris, FCCJ
Angie Arnold, FCCJ
Margret Wood, FCCJ

Marcia Nelson, FCCJ
Katishia Tookes, FCCJ
Juliann Dupree, FCCJ
Gerri Brown, FCCJ
Allison Cook, FCCJ
Gai Thigpen, FCCJ
Dawn Truman, FCCJ
Kristy Johannsen, FCCJ
Jessica Conner, FCCJ
Eloise Woolley, FCCJ
Camie Snedley, FCCJ
Kadi Dennon, FCCJ
Antoinette Boosan, FCCJ
Carol Topping, FCCJ
Tammy Keeton, FCCJ
Shirley Crawford, FCCJ
Emily Labor, FCCJ
Therese Gamble, FCCJ
Ame Elkins, FCCJ
Minoly Burk, FCCJ
Carrie Hanson, FCCJ
Tamicah Jackson, FCCJ
Nicole Jones, FCCJ
Ashley Harrison, FCCJ
Rebecca Callison, FCCJ
Vernon Smith, Respondent
Duyen Thi Vo, Respondent
Crystal Tran, Translator
Ngoc Lien Thi Nguyen, Respondent
Linh Nguyen, Respondent
Ha Tran, Respondent
Lien Nguyen, Respondent
Nguyen Vu, Respondent
Soheap Kim, Respondent
Hang Chau, Respondent
Ngoc Hanh Thai, Respondent
Thanh Tra Nhu Le, Respondent
Tamara Packard, Applicant
Dep Kim Huynh, Respondent
Theresa McCullum, Respondent
Doan Van Ngo, Respondent
Loan Kiem Nguyen, Respondent
Nguyen Nguyen, Translator
Chung Tran, Respondent
Tam Tran, Respondent
Ho Phan, Respondent
Rodolfo Macedo, Respondent
Huan Tran, Respondent
Kim Tran, Respondent
Loi Danh, Translator
Dep Kim Huynh, Respondent
Quyên Tran, Respondent
Nguyen Vu, Respondent

The meeting was opened with a roll call and a quorum was established. Chair Jowers excused Ms. Donna Osborne's absence from the meeting.

Ms. Robyn Barineau, Executive Director, introduced and welcomed the board's new attorney, Ms. Lisa Comingore.

Approval of Minutes: January 25, 2009 and January 26, 2009:

Ms. Ginny Fincel moved to approve the minutes from the January 25, 2009, workshop and January 26, 2009, board meeting. Ms. Monica Smith seconded the motion. The motion passed unanimously.

Disciplinary Matters

Informal Hearings

Regarding Case No. 2007-064220 against Carolyn Jones, d/b/a CJ's Nails & Pedicure of Dade City, Ms. LeChea Parson, Assistant General Counsel, informed the board that the Respondent had elected an informal hearing in the matter. Carolyn Jones was not present for the meeting. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$500 and costs of \$72.97. Ms. Laurel Ritenbaugh moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and impose a fine of \$500 and costs of \$72.97 to be paid over a period of six months, with the first payment of \$72.97 due within 30 days of the final order and five monthly payments of \$100 each. Ms. Smith seconded the motion and the motion passed unanimously.

Regarding Case No. 2008-017518 against Exotic Nails of Tallahassee, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Mr. Huan Tran and Ms. Kim Tran were present for the meeting and were sworn in by the Court Reporter. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$500 and costs of \$279.53. Ms. Fincel moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and impose a fine of \$500 and costs of \$279.53 to be paid over a period of six months, with the first payment of \$279.53 due within 30 days of the final order and five monthly payments of \$100 each. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Regarding Case Nos. 2008-032092 and 2008-032091 against Ha Tuan and Tammi Nails & Spa of Orlando, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Mr. Ha Tuan was present for the meeting and was sworn in by the Court Reporter. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$500 and costs of \$244.54. Ms. Fincel moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and impose a fine of \$500 and costs of \$244.54. The Respondent's license will be suspended for six months, however, the suspension is stayed. Should the Respondent fail to comply with the payment or should there be an unsuccessful inspection over the next six months, the stay will be lifted and the license will immediately be suspended until the six months have expired. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Regarding Case Nos. 2008-020457 and 2008-020465 against Happy Nails and Trung Van Nguyen of Palm Beach Gardens, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. However, the Respondent was not present for the meeting. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$1,500 and costs of \$145.40. Ms. Fincel moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and impose a fine of \$1,500 and costs of \$145.40. Ms. Smith seconded the motion and the motion passed unanimously.

Regarding Case No. 2008-001078 against Lexi Nails and Spa of Clearwater, Ms. Parson requested this disciplinary case be pulled from the agenda to be considered at a later date.

Regarding Case Nos. 2008-032144 and 2008-032149 against K Nails & Spa and Doan Van Ngo of Orlando, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Doan Van Ngo was present for the meeting and was sworn in by the Court Reporter. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$500 and costs of \$257.59. Ms. Fincel moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and impose a fine of \$500 and costs of \$257.59. Ms. Smith seconded the motion and the motion passed unanimously.

Regarding Case No. 2008-036844 against Signature Nails & Spa at Disston of St. Petersburg, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Quyen Tran and Nguyen Vu were present for the meeting and were sworn in by the Court Reporter. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$1,000 and costs of \$323.27. Ms. Fincel moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and impose a fine of \$1,000 and costs \$323.27 to be paid over a period of six months, with the first payment of \$323.27 due within 30 days of the final order and five monthly payments of \$200 each. Ms. Smith seconded the motion and the motion passed unanimously.

Regarding Case Nos. 2008-013011 and 2008-015912 against Rodolfo Macedo, Jr. and Ashley's Hair Salon of Indiantown, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Mr. Rodolfo Macedo, Jr. was present for the meeting and was sworn in by the Court Reporter. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$1,500 and costs of \$101.39. Ms. Fincel moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and impose a fine of \$1,500 and costs \$101.39 to be paid over a period of six months, with the first payment of \$101.39 due within 30 days of the final order and five monthly payments of \$300 each. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Regarding Case Nos. 2008-032085 and 2008-032090 against Vinh T. Le and La Vie Nails of Orlando, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. The Respondent was not present for the meeting. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$1,000 and costs of \$299.30. Ms. Fincel moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the

allegations as set forth in the Administrative Complaint and impose a fine of \$1,000 and costs \$299.30. Ms. Smith seconded the motion and the motion passed unanimously.

Regarding Case Nos. 2008-053499 and 2008-047678 against Dep Kim Huynh and Nini Nails of Spring Hill, Ms. Parson noted that the matter was agendaed as a Motion for Waiver of Rights and Final Order however since the Respondent was present for the meeting and requested to proceed with an Informal Hearing. Ms. Dep Kim Huynh was present for the meeting along with Ms. Loi Danh translating. Ms. Huynh and Ms. Danh were sworn in by the Court Reporter. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$1,000 and costs of \$371.99. Ms. Parson informed the board that the fine and costs were paid in full. Ms. Fincel moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and impose a fine of \$1,000 and costs \$371.99. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Regarding Case No. 2008-047690 against New York Clippers of Spring Hill, Ms. Parson requested that this disciplinary case be pulled from the agenda to be considered at a later date.

Regarding Case No. 2008-009066 against Tikisha Monrez Gobourne of Sarasota, Ms. Parson requested that this disciplinary case be pulled from the agenda to be considered at a later date.

Regarding Case No. 2008-022491 against Vernon M. Smith, III of Dunnellon, Ms. Parson noted that the mater was agendaed as a Motion for Waiver of Rights and Final Order, however since the Respondent was present for the meeting, she requested to proceed with an Informal Hearing. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$500 and costs of \$196.56. Mr. Smith along with Mr. Garry Greca was present for the meeting. Mr. Smith and Mr. Greca were sworn in by the Court Reporter. Mr. Smith offered testimony that he returned the election of rights form disputing the citation and provided certified mail service receipt as verification. After discussion, Ms. Parson requested that this disciplinary case be pulled from the agenda at this time for further research of the dispute. Based on Mr. Smith's testimony and Ms. Parson's request, Ms. Fincel made a motion to continue this matter. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case Nos. 2008-041448 and 2008-041450 against Sunshine Nails and Linh Vinh Nguyen of Largo, Ms. Parson noted that the matter was agendaed as a Motion for Waiver of Rights and Final Order however, since the Respondent was present for the meeting she requested to proceed with an Informal Hearing. Mr. Linh Vinh Nguyen was sworn in by the Court Reporter. Ms. Parson presented the department's case in this matter and suggested assessing a fine of \$1,000 and costs of \$333.23. Ms. Barineau noted that the Respondent remitted payment of \$1,332.23 and suggested the fine amount be reduced by \$1. Ms. Fincel moved that the board find the Respondent was properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and impose a fine of \$999 and costs \$333.23. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Unless otherwise stated, by appropriate motion the board found that the Respondent was properly served with the Administrative Complaint and elected not to dispute the alleged facts, that there was competent and substantial evidence to support the allegations, that the Respondent committed the offenses as outlined in the Administrative Complaint, and imposed the penalties shown below:

- Brazilian Touch Hair Design; Pompano Beach
Case Nos. 2008-032242 and 2008-032246
\$1,000 fine and \$193.20 costs
- Diana Ramirez and On Stage Style, LLC; Kissimmee
Case Nos. 2008-039709 and 2008-032096
\$500 fine and \$253.68 costs
- Fred Le and NY Nails; New Port Richey
Case Nos. 2008-053497 and 2008-048505
\$500 fine and \$404.83 costs
- Happy Nails & Spa and Thuy L. Chau; Kissimmee
Case Nos. 2008-023260 and 2008-023263
\$500 fine and \$69.02 costs
- Julius D. Perry; Palmetto
Case No. 2007-059849
\$500 fine and \$72.11 costs
- Peter Cu Nguyen and City Nails; Winter Haven
Case Nos. 2008-039397 and 2008-039399
\$500 fine and \$278.42 costs
- Paul Miller Hair Studios at the Shores; Miami
Case No. 2007-061796
\$1,000 fine and \$39.72 costs
- Smooth Skinz; Sunny Isle
Case No. 2008-019181
\$500 fine and \$57.42 costs

Motions for Waiver of Rights and Final Order

Regarding Case No. 2006-058779 against Abby Wai Yuen of Palm Beach Gardens, Ms. Parson presented the department's case and suggested assessing a fine of \$1,500 and costs of \$131.51. The Respondent was not present for the meeting. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,500 and costs of \$131.51, plus six months stayed suspension against the Respondent's nail specialist registration FV584376. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's nail specialist registration will be suspended. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-042832 against Ammie Lee Knight of Quincy, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$94.50. The Respondent was not present or represented for the meeting. Ms. Smith moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law and impose a fine of \$500 and costs of

\$94.50. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-032094 against Anrodve Salon & Day Spa of Kissimmee, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$244.54. The Respondent was not present or represented for the meeting. Ms. Smith moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$500 and costs of \$244.54. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Regarding Case No. 2007-064803 against Carol Nichols of Miami, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and \$144.24, plus revocation of the Respondent's hair braider registration, HB2597, based on the fraudulent attempt to obtain the registration. The Respondent was not present or represented for the meeting. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$500 and costs of \$144.24, plus revocation of the Respondent's hair braider registration, HB2597, based on the facts presented. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2007-064928 against Charitable Cylla of Ft. Lauderdale, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and \$84.81, plus revocation of the Respondent's hair braider registration, HB2918, based on the fraudulent attempt to obtain the registration. The Respondent was not present or represented for the meeting. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$500 and costs of \$84.81, plus revocation of the Respondent's hair braider registration, HB2919, based on the facts presented. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2007-064926 against Denise Nichole Atkinson of Sunrise, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and \$37.38, plus revocation of the Respondent's hair braider registration, HB2721, based on the fraudulent attempt to obtain the registration. The Respondent was not present or represented for the meeting. Ms. Smith moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$500 and costs of \$37.38, plus revocation of the Respondent's hair braider registration, HB2721, based on the facts presented. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-005639 against Doonie's Hair Studio of Bradenton, Ms. Parson presented the department's case and suggested assessing a fine of \$1,500 and \$66.56. The Respondent was not present or represented for the meeting. Ms. Ritenbaugh moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the

matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,500 and costs of \$66.56, plus six months stayed suspension against the Respondent's cosmetology salon license CE9958876. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's cosmetology salon license will be suspended. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-010351 against Lubou Shapiro of Tampa, Ms. Parson presented the department's case and suggested assessing a fine of \$1,300 and \$78.40. The Respondent was not present or represented for the meeting. Ms. Ritenbaugh moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,300 and costs of \$78.40. Chair Jowers seconded the motion. The motion passed unanimously.

Regarding Case No. 2007-043230 against Nail Studio of Sebring, Ms. Parson requested that this disciplinary case be pulled from the agenda to be considered at a later date.

Regarding Case No. 2007-013122 against Nicole Aurelien of Port St. Lucie, Ms. Parson presented the department's case and suggested assessing a fine of \$1,700 and \$130.81. The Respondent was not present or represented for the meeting. Ms. Ritenbaugh moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,700 and costs of \$130.81, plus six months stayed suspension against the Respondent's cosmetology license, CL216593. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's cosmetology salon license will be suspended. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2007-053030 against Ronald M. Styles of Jupiter, Ms. Parson presented the department's case and suggested assessing a fine of \$1,500 and \$126.43. The Respondent was not present or represented for the meeting. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,500 and costs of \$126.43. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2007-068096 against Ronald Garcia of Jupiter, Ms. Parson presented the department's case and suggested assessing a fine of \$1,550 and \$154.24. The Respondent was not present or represented for the meeting. Ms. Smith moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,550 and costs of \$154.24. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-005154 against Salon Cosmetica of Jupiter, Ms. Parson

presented the department's case and suggested assessing a fine of \$650 and \$129.76. The Respondent was not present or represented for the meeting. It was noted that the fine and costs have been paid in full. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$650 and costs of \$129.76. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case Nos. 2008-010203 and 2007-029441 against TM Nails and Lanh T. Phan of West Palm Beach, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and \$100.47. The Respondent was not present or represented for the meeting. It was noted that the fine and costs have been paid in full. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,000 and costs of \$100.47. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2007-053526 against Topsy Nail Spa and Salon of Wellington, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and \$192.12. The Respondent was not present or represented for the meeting. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,000 and costs of \$192.12, plus six months stayed suspension against the Respondent's cosmetology salon license, CE9968076. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's cosmetology salon license will be suspended. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-009422 against Xoshley & Axes Salon of Kissimmee, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and \$390.50. The Respondent was not present or represented for the meeting. Ms. Ritenbaugh moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,000 and costs of \$390.50, plus revocation of the Respondent's cosmetology salon license, CE9960025, based on the history of non-compliance. Chair Jowers seconded the motion. The motion passed unanimously.

Regarding Case No. 2007-067809 against Beautiful 24/7 Hair and Nail Salon of Jacksonville, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and \$413.63. The Respondent was not present or represented for the meeting. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,000 and costs of \$413.63, plus six months stayed suspension against the Respondent's cosmetology salon license, CE9969025. In the event the Respondent

fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's cosmetology salon license will be suspended. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-005383 against Port St. Lucie Nails of Port St. Lucie, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and \$135.51. The Respondent was not present or represented for the meeting. It was noted that the fine and costs have been paid in full. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,000 and costs of \$135.51, plus six months stayed suspension against the Respondent's cosmetology license, CE9956893. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's cosmetology salon license will be suspended. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2007-011716 against Zachary Clemons, d/b/a Zach's Hairmasters Downunder of Tallahassee, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and \$105.78. The Respondent was not present or represented for the meeting. Ms. Parson noted that the Respondent forwarded a request for a payment plan to her office. Ms. Fincel moved that the board find that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in the matter, that the board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the board and impose a fine of \$1,000 and costs of \$105.78 to be paid over a period of six months, with the first payment of \$105.78 due within 30 days of the final order and five monthly payments of \$200 each. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Unless otherwise stated, by appropriate motion the board found that the Respondent was properly served with the Administrative Complaint, the Respondent failed to respond within 21 days thereby waiving their right to elect a hearing in this matter, the board accepted the allegations as stated in the Administrative Complaint and adopted them as the findings of fact and conclusions of law of the board, and imposed the penalties shown below:

- Bernice P. Brown; Gainesville
Case No. 2008-031738
\$500 fine and \$61.97 costs
- Charlie J. Hawks; Orlando
Case No. 2008-029515
\$200 fine and \$142.06 costs
- Damares Oliveira Palacios; Cape Coral
Case No. 2008-006443
\$500 fine and \$294.92 costs
- Dawn Davis; Rivera Beach
Case No. 2007-005575
\$1,000 fine and \$114.47 costs
- Diamond Nails; Jacksonville

Case No. 2008-016662
\$1,000 fine and \$269.47 costs

- Florida Hair & Nails; Pinellas Park
Case No. 2008-051043
\$500 fine and \$211.91 costs
- Goddess Nails; Clearwater
Case No. 2008-043476
\$500 fine and \$105.54 costs
- Heather Lavonne Feagin; Zephyrhills
Case No. 2007-040653
\$1,000 fine and \$59.52 costs
- Janay Labell Flowers; Tallahassee
Case No. 2008-045824
\$500 fine and \$57.95 costs
- Jose A. Rodriguez; Riviera Beach
Case No. 2007-007704
\$1,000 fine and \$114.87 costs
- LA Nails & More; Parrish
Case No. 2008-015591
\$500 fine and \$87.87 costs
- Linh Khanh Mac
Case No. 2007-011537
\$500 fine and \$782.21 costs
- Nails “4” U and Than H. Luu; Spring Hill
Case Nos. 2008-047683 and 2008-053468
\$500 fine and \$470.51 costs
- Nana Camara; Tampa
Case No. 2008-013961
\$500 fine and \$123.20 costs
- Nguyen Thuan Duc and Today's Nails; Titusville
Case Nos. 2008-047150 and 2008-034780
\$1,000 fine and \$111.70 costs
- Rose K. Komahe; Tampa
Case No. 2008-013944
\$500 fine and \$139.88 costs
- Rosenildo Silva; Pompano Beach
Case No. 2008-007741
\$1,000 fine and \$99.46 costs
- Salon Renaissance; Boca Raton

Case No. 2008-041592
\$1,000 fine and \$73.58 costs

- Teresa L. Wooden and Splitends; High Springs
Case Nos. 2008-007724 and 2008-007725
\$1,000 fine and \$158.37 costs
- Vilayvieng Keoprasert; Orange Park
Case No. 2008-021320
\$500 fine and \$262.51 costs
- Walter Maidana; Weston
Case No. 2007-042243
\$500 fine and \$39.77 costs
- Beauty Cosmopolitan; Tampa
Case No. 2008-044322
\$500 fine and \$76.94 costs
- Dung Thu Le; Okeechobee
Case No. 2007-029908
\$1,500 fine and \$147.54 costs

Settlement Stipulations

Regarding Case No. 2008-061599 against Chung K. Tran of Fort Pierce, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$124.99, plus license revocation based on fraudulent attempts to obtain the nail specialist registration. Mr. Chung K. Tran was present for the meeting and was sworn in by the Court Reporter. Ms. Fincel moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all of its terms into a Final Order. Ms. Smith seconded the motion and the motion passed unanimously. It was noted that Mr. Tran will be eligible to reapply once he has completed the 240-hour nail specialty education program.

Regarding Case Nos. 2008-049709 and 2008-042558 against Elfers Nails and Duyen Thi Vo of New Port Richey, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and costs of \$406.08. It was noted that the fine and costs have been paid in full. Mr. Duyen Thi Vo was present for the meeting along with Ms. Crystal Tran translating. Ms. Fincel moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all of its terms into a Final Order. Ms. Smith seconded the motion and the motion passed unanimously.

Regarding Case Nos. 2008-011027 and 2007-013128 against Elegance Day Spa and Theresa McCullough of West Palm Beach, Ms. Parson presented the department's case and suggested assessing a fine of \$2,000 and costs of \$208.61. Ms. Theresa McCullough was present for the meeting and was sworn in by the Court Reporter. Ms. McCullough requested a payment plan for the fine and costs. In order to grant the Respondent's request, it was determined that this matter would be pulled from the agenda to be considered at a later date since a payment plan was not reflected in the current Settlement Stipulation signed by the Respondent.

Regarding Case Nos. 2008-052093 and 2008-052096 against Happy Nails & Happy Feet, Inc. and Lien Kim Nguyen of Orange Park, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$323.55. Ms. Lien Kim Nguyen was present for the meeting and was sworn in by the Court Reporter. Ms. Nguyen requested a payment plan for the fine and costs. It was determined that this matter would be pulled from the agenda to be considered at a later date since the current Settlement Stipulation signed by the Respondent did not incorporate a payment plan.

Regarding Case No. 2008-041098 against Sopheap Kim of Jacksonville Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$271, plus license revocation based on fraudulent attempts to obtain the nail specialist registration. Sopheap Kim was present for the meeting and was sworn in by the Court Reporter. Ms. Smith moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all of its terms into a Final Order. Ms. Ritenbaugh seconded the motion and the motion passed unanimously. It was noted that Ms. Kim is eligible to reapply for licensure after completing a 240-hour nail specialty education program.

Regarding Case No. 2008-041095 against Loan Kiem Nguyen of Jacksonville Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$271, plus license revocation based on fraudulent attempts to obtain the nail specialist registration. Loan Kiem Nguyen was present for the meeting along with Nguyen Nguyen translating. Ms. Nguyen and Mr. Nguyen were sworn in by the Court Reporter. Ms. Finsel moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all of its terms into a Final Order. Ms. Ritenbaugh seconded the motion and the motion passed unanimously. It was noted that Ms. Nguyen is eligible to reapply for licensure after completing a 240-hour nail specialty education program.

Regarding Case No. 2008-041093 against Ngoc Hanh-Thi Thai of Jacksonville, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$202.86, plus license revocation based on fraudulent attempts to obtain the nail specialist registration. Ngoc Hanh-Thi Thai was present for the meeting along with Nguyen Nguyen translating. Ms. Thai and Mr. Nguyen were sworn in by the Court Reporter. Ms. Ritenbaugh moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all of its terms into a Final Order. Ms. Smith seconded the motion and the motion passed unanimously. It was noted that Ms. Thai is eligible to reapply for licensure after completing a 240-hour nail specialty education program.

Regarding Case No. 2008-041092 against Ngo Lieng Thi Nguyen of Kansas City Missouri, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$183.40, plus license revocation based on fraudulent attempts to obtain the nail specialist registration. Ngo Lieng Thi Nguyen was present for the meeting and was sworn in by the Court Reporter. Ms. Ritenbaugh moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all of its terms into a Final Order. Ms. Smith seconded the motion and the motion passed unanimously. It was noted that Ms. Nguyen is eligible to reapply for licensure after completing a 240-hour nail specialty education program.

Regarding Case Nos. 2008-044241 and 2008-055237 against Regal Nails and Tam Van Tran of Brooksville, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$307.56. Tam Van Tran was present for

the meeting and was sworn in by the Court Reporter. Ms. Ritenbaugh moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all of its terms into a Final Order. Ms. Smith seconded the motion and the motion passed unanimously.

Regarding Case No. 2008-041096 against Thanh Tra Nhu Le of Jacksonville, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$173.66 ,plus license revocation based on fraudulent attempts to obtain the nail specialist registration. Thanh Tra Nhu Le was present for the meeting along with Tai Le translating. Ms. Le and Mr. Le were sworn in by the Court Reporter. Ms. Smith moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all of its terms into a Final Order. Ms. Ritenbaugh seconded the motion and the motion passed unanimously. It was noted that Ms. Thai is eligible to reapply for licensure after completing a 240-hour nail specialty education program.

Regarding Case No. 2008-032095 against Magic Nails & Day Spa of Orlando, Ms. Parson noted that this matter was agendaed as an Informal Hearing however, since the Respondent submitted a signed Settlement Stipulation, she requested to proceed accordingly. Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$31.29. Hang Chau was present for the meeting and was sworn in by the Court Reporter. Ms. Fincel moved that the board adopt the Stipulation of the parties as the board's final action in this matter and incorporate it and all of its terms into a Final Order. Ms. Smith seconded the motion and the motion passed unanimously.

Unless otherwise stated, by appropriate motion the board found the Respondent to have committed the offenses as alleged in the Administrative Complaint and adopted the Stipulation of the parties as the board's final action regarding a penalty to be imposed on the Respondent as follows:

- #1 Nails & Spa; Port St. Lucie
Case No. 2008-008057
\$1,000 fine and \$94.14 costs
- A Thing For Nails & Spa and Nyny T. Pham; Miramar
Case Nos. 2008-018659 and 2008-018682
\$500 fine and \$533.44 costs
- Best Nails and Hoa D. Nguyen; Winter Haven
Case Nos. 2008-039393 and 2008-039394
\$1,000 fine and \$267.98 costs
- Carla's Classic Cuts; Apopka
Case No. 2008-017430
\$500 fine and \$236.92 costs
- DA-VI Nails #2387 and Lucas Van Huynh
Case Nos. 2008-029323 and 2008-038803
\$500 fine and \$383.09 costs
- EK Nails & Ho Quang Phan; Jacksonville
Case Nos. 2008-022058 and 2008-014591
\$1,500 fine and \$235.42 costs

- Fatoumata Binetou Diba; Tampa
Case No. 2008-013954
\$500 fine and \$123.20 costs
- Happy Nails and Tam Gric Tran; Lakeland
Case Nos. 2008-042575 and 2008-042577
\$500 fine and \$278.42 costs
- Hoang Tien Doan and Pro-Nails; Lakeland
Case Nos. 2008-035076 and 2008-029538
\$500 fine and \$320.18 costs
- Instyle Nails & Spa and Lieu Thi Nguyen; Davenport
Case Nos. 2008-032069 and 2008-032074
\$500 fine and \$281.03 costs
- Jessica Tran Jackson and S&B Nails; Kissimmee
Case Nos. 2008-032602 and 2008-032605
\$500 fine and \$244.54 costs
- La Vina Nails and Steven Tran; Orlando
Case Nos. 2008-030548 and 2008-044223
\$500 fine and \$374.24 costs
- Lorraine Kumor Zabrocki; Safety Harbor
Case No. 2008-041898
\$500 fine and \$265.30 costs
- Lovely Nails and Chau Thi Nga; Clearwater
Case Nos. 2008-049700 and 2008-043058
\$500 fine and \$356.82 costs
- Mai Tuyet Nguyen and J Nails; New Port Richey
Case Nos. 2008-048504 and 2008-053492
\$500 fine and \$322.73 costs
- Marie Louise Barros; Tampa
Case No. 2008-013981
\$500 fine and \$123.20 costs
- Modern Nails and Hien Vinh Dinh; Jacksonville
Case Nos. 2008-058100 and 2008-058102
\$500 fine and \$261.50 costs
- Nail Studio; Tallahassee
Case No. 2007-058951
\$200 fine and \$67.67 costs
- Perfect Nails; Largo
Case No. 2008-041452
\$500 fine and \$309.79 costs

- Smart Style #175; Sebastian
Case No. 2008-012996
\$1,000 fine and \$121.64 costs
- Son Thanh Huynh and Red Nails; Spring Hill
Case Nos. 2008-051176 and 2008-042556
\$500 fine and \$422.50 costs
- Spring Hill Nails and Xian Ping Nieng; Spring Hill
Case Nos. 2008-047681 and 2008-053504
\$1,000 fine and \$355.57 costs
- Sylvia Sanchez and “N” Style Hair Salon; Palmetto
Case Nos. 2008-010349 and 2008-020544
\$500 fine and \$72.70 costs
- Tip 2 Toes and Trinh Thi Trang Troung; Sebring
Case Nos. 2008-048833 and 2008-053919
\$500 fine and \$318.93 costs
- Thuy Thi Nguyen and #1 Nails; Seminole
Case Nos. 2008-055255 and 2008-062510
\$500 fine and \$176.13 costs
- Quite Cute Hair & Nail Salon; Plantation
Case No. 2007-064416
\$1,000 fine and \$39.16 costs
- Tic Tac Nails; Seminole
Case No. 2008-048920
\$500 fine and \$264.11 costs

Department Attorney Report

Ms. Parson informed the board that as of April 24, 2009, there were 359 open cosmetology cases in the legal section.

The board agreed to allow Ms. Parson to proceed with handling the year-old cases.

Applications

Licensure Applications

- Reyna Isabel Vargas
Ms. Barineau noted the initial registration application for Ms. Reyna Vargas was forwarded for board review based on the background information reflected on the application. Ms. Vargas was not present for the meeting. After review and discussion of the application, Ms. Smith moved to deny the application since the documents provided did not demonstrate that sanctions were satisfied. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

- Jodie Ann Beetus
Ms. Barineau noted the initial licensure application for Ms. Jodie Ann Beetus was forwarded for board review based on the background information reflected on the application. Ms. Beetus was not present for the meeting. After review and discussion of the application, Ms. Fincel moved to deny the application since the documents provided did not demonstrate that sanctions were satisfied. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.
- Denise Lynn Mock
Ms. Barineau noted the initial registration application for Ms. Denise Lynn Mock was forwarded for board review based on the background information reflected on the application. Ms. Mock was not present for the meeting. After review and discussion of the application, Ms. Fincel moved to deny the application since the documents provided did not demonstrate that sanctions were satisfied. Ms. Smith seconded the motion. The motion passed unanimously.
- Erica Blakey
Ms. Barineau noted the initial licensure application for Ms. Erica Blakey was forwarded for board review based on the background information reflected on the application. Ms. Blakey was not present for the meeting. After review and discussion of the application, Ms. Ritenbaugh moved to approve the application based on the documents provided. Ms. Smith seconded the motion. The motion passed unanimously.
- Henry W. Johnson, Jr.
Ms. Barineau noted the initial licensure application for Mr. Henry W. Johnson was forwarded for board review based on the background information reflected on the application. Mr. Johnson was not present for the meeting. After review and discussion of the application, Ms. Fincel moved to deny the application since the documents provided did not demonstrate that sanctions were satisfied. Ms. Smith seconded the motion. The motion passed unanimously.
- Naika Blain
Ms. Barineau noted the initial registration application for Ms. Naika Blain was forwarded for board review based on the background information reflected on the application. Ms. Blain was not present for the meeting. After review and discussion of the application, Ms. Ritenbaugh moved to deny the application since the documents provided did not demonstrate that sanctions were satisfied. Ms. Fincel seconded the motion. The motion passed unanimously.
- Tamara Packard
Ms. Barineau noted the initial registration application for Ms. Tamara Packard was forwarded for board review based on the background information reflected on the application. Ms. Packard was present for the meeting and was sworn in by the Court Reporter. Ms. Packard informed the board that she is currently on probation. Ms. Ann Cocheu, Assistant Attorney General, Attorney General's Office, stated that a registration could be issued without sanctions being completed. After review and discussion of the application, Ms. Ritenbaugh moved to approve the application imposing a two year suspension, which would be stayed. If any violations should occur within the two year period, the license would be suspended for the time remaining.

Applications for Hair Braiding Courses

- Anointed Too Beauty Salon, LLC
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Fincel seconded the motion and the motion passed unanimously.
- Florida Academy of Health & Beauty
After review and discussion of the course application, Ms. Fincel moved to approve the application. Ms. Smith seconded the motion. The motion passed unanimously.
- D&L Strong Hair Gallery
After review and discussion of the course application, Ms. Smith moved to approve the application. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.
- Orlando Beauty Institute
After review and discussion of the course application, Mr. Ritenbaugh moved to deny the application based on incorrect sanitation and sterilization procedure references. Ms. Fincel seconded the motion. The motion passed unanimously.
- The Veldt Barber and Beauty Salon
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Fincel seconded the motion. The motion passed unanimously.

Applications for Hair Wrapping Courses

- Anointed Too Beauty Salon, LLC
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Fincel seconded the motion and the motion passed unanimously.
- The Veldt Barber and Beauty Salon
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Fincel seconded the motion. The motion passed unanimously.

Applications for Body Wrapping Courses

- Anable De La Vega
After review and discussion of the course application, Ms. Ritenbaugh moved to deny the application since the course content is outside the scope of Florida Board of Cosmetology licensees, the numerous acronym references without explanation and based on the outdated reference to the Florida laws and rules. Ms. Smith seconded the motion and the motion passed unanimously.
- Anointed Too Beauty Salon, LLC
After review and discussion of the course application, Ms. Ritenbaugh moved to

deny the application based on the incorrect references to hair braiding reflected in the program objective. Ms. Smith seconded the motion and the motion passed unanimously.

- Esthetics and Laser Specialty
After review and discussion of the course application, Ms. Ritenbaugh moved to deny the application based on incorrect and outdated references to sanitation and sterilization methods and outdated references to Florida laws and rules. Ms. Smith seconded the motion and the motion passed unanimously.
- Slim Spa Institute
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Smith seconded the motion. The motion passed unanimously.
- The Veldt Barber and Beauty Salon
After review and discussion of the course application, Ms. Fincel moved to approve the application. Ms. Smith seconded the motion. The motion passed unanimously.

Initial HIV/AIDS Courses

- A Beauty School of Tampa, Inc.
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Fincel seconded the motion. The motion passed unanimously.
- Anointed Too Beauty Salon, LLC
After review and discussion of the course application, Ms. Fincel moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.
- EDJ School Online
After review and discussion of the course application, Ms. Fincel moved to deny the application based on incorrect and outdated references to shaving brushes and alcohol as a disinfectant agent. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.
- Heritage Institute
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Smith seconded the motion. The motion passed unanimously.
- The Veldt Barber and Beauty Salon
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Smith seconded the motion. The motion passed unanimously.
- www.ContinuingCosmetology.com
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Fincel seconded the motion. The motion passed unanimously.

Continuing Education Provider and Course Applications

- CosmetologyCampus.com
Course Application
Florida 16-Hour Cosmetology Package – 16 Hours Internet
 After review and discussion of the course material, Ms. Fincel moved to deny the application based on incorrect or outdated sanitation and sterilization procedures. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.
- Healthtec Online, Inc.
Course Application
16-Hour Continuing Education for Cosmetology – 16 Hours Internet
 After review and discussion of the course application, Ms. Fincel moved to approve the application with the contingency of the Florida Laws and Rules section being updated to reflect the most current information. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.
- Skin Deep Cosmeceuticals, Inc.
Course Application
The Customized Performance Facial Treatment – 4 Hours Live Group Study
 After review and discussion of the course application, Ms. Smith moved to approve the application. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.
- Medinail Learning Center
Provider Application
Course Application
Advanced Nail Technician Program – 10 Hours Internet
 Ms. Smith recused herself from voting on this matter.

After review and discussion of the provider application, Ms. Fincel moved to approve the application. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Fincel seconded the motion and the motion passed unanimously.
- Bella Donna Day Spa, Inc.
Provider Application
Course Application
Advanced Make-Up Course 101
 After review and discussion of the provider application, Ms. Fincel moved to approve the application. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Fincel seconded the motion and the motion passed unanimously.
- CEU Max
Provider Application
Course Application
16 Hour Continuing Education Course – 16 Hours Internet

After review and discussion of the provider application, Ms. Fincel moved to approve the application. Ms. Smith seconded the motion. The motion passed unanimously.

After review and discussion of the course application, Ms. Smith moved to approve the application. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

- A Beauty School of Tampa, Inc.
Provider Application
Course Application
16 Hour Continuing Education Course – 16 Hours Live Group Study, Home Study/Video and Internet
After review and discussion of the provider application, Chair Jowers moved to approve the application. Ms. Fincel seconded the motion. The motion passed unanimously.

After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Smith seconded the motion and the motion passed unanimously.

- www.ContinuingCosmetology.com
Provider Application
Course Application
Florida 16-Hour Cosmetology CE Course – 16 Hours Internet
After review and discussion of the provider application, Chair Jowers moved to approve the application. Ms. Smith seconded the motion. The motion passed unanimously.

After review and discussion of the course application, Ms. Fincel moved to deny the application based on incorrect references to alcohol and phenols as disinfecting agents. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

- EDJ School Online
Provider Application
Course Application
16 Hours CE for Cosmetologist – 16 Hours Internet
After review and discussion of the provider application, Ms. Smith moved to approve the application. Chair Jowers seconded the motion. The motion passed unanimously.

After review and discussion of the course application, Ms. Fincel moved to deny the application based on the reference to phenols and alcohol as disinfecting agents and that it is unclear if the references are for usage of the chemicals or informational purposes only. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

- CosmetologyCampus.com
Course Application
Florida Cosmetology Rules and Laws – 2 Hours Internet
After review and discussion of the application, Ms. Ritenbaugh moved to approve the application. Ms. Smith seconded the motion. The motion passed

unanimously.

- Florida Cosmetology Educators Online Course Renewal Application
2-Hour HIV/AIDS Course for Florida License Renewal – 2 hours Live Group Study, Cosmetology conference Trade Show, Home Study Video and Internet
After review and discussion of the application, Ms. Ritenbaugh moved to approve the application. Ms. Smith seconded the motion. The motion passed unanimously.

- Florida Cosmetology Educators Online Course Renewal Application
Florida Cosmetology Educators CE Program – 16 Hours Live Group Study, Cosmetology conference Trade Show, Home Study Video and Internet
After review and discussion of the application, Ms. Ritenbaugh moved to deny the application based on the incorrect reference to alcohol as a disinfecting agent and based on the incorrect reference to ultra violet rays as a method of sterilization. Ms. Eva Price, with Florida Cosmetology Educators Online, was present for the meeting. Ms. Price verbally agreed to amend the course material by removing the incorrect references. Ms. Smith moved to approve the application as amended by Ms. Price. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

- Florida Cosmetology Educators Online Course Application
16-Hour Continuing Education Course – 16 Hours Live Group Study, Cosmetology conference Trade Show, Home Study Video and Internet
After review and discussion of the application, Ms. Smith moved to deny the application based on the incorrect reference to alcohol as a disinfecting agent and the incorrect reference to ultra violet rays as a method of sterilization. Ms. Price verbally agreed to amend the course material by removing the incorrect references. Ms. Smith moved to approve the application as amended by Ms. Price. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Committee Reports

Continuing Education Committee – Ginny Fincel, Chair

Ms. Fincel had no additional report at this time.

Rule Committee Report – Donna Osborne, Chair

There was no report at this time.

Legislative Committee – Donna Osborne, Chair

There was no report at this time.

Old Business

Garra Rufa, Pedicure Fish, In Cosmetology Salons in Florida

Ms. Barineau noted that the press release was included in the agenda for informational purposes.

New Business

Senate Bill SB2598, An Act Relating to the Regulation of Professions

Ms. Barineau informed the board of the department bill, Senate Bill SB2598. Ms. Barineau will provide further information at the July 2009 board meeting.

Rule 61G5-32.001, Florida Administrative Code – Continuing Education
Discussion of Including Publication Dates for Reference Materials

Ms. Smith moved to have Rule 61G5-32.001, Florida Administrative Code, noticed for development at the July board meeting. Chair Jowers seconded the motion. The motion passed unanimously.

Other Business

Executive Director's Report

Financial Report, December 31, 2008 – Operating Account
Financial Report, December 31, 2008 – Unlicensed Activity Account

Ms. Barineau informed the board that as of December 31, 2008, the balances in the Operating and Unlicensed Activity Accounts were \$842,862 and \$1,407,911 respectively. Ms. Barineau stated that the current five year projection shows the board in a deficit beginning in the fiscal year ending June 30, 2009. Ms. Barineau noted that an assessment on each initial license and renewed license may need to be considered in the future.

Unlicensed Activity Campaign

Ms. Barineau informed the board of the current unlicensed activity campaign which will combat unlicensed activity and heighten consumer awareness. Ms. Barineau referred to copies of the unlicensed activity posters currently being displayed on city buses in Miami. The posters are available in both English and Spanish.

Unlicensed Activity Account Transfer

Based on projections that show the board in a deficit beginning in the fiscal year ending June 30, 2009, Ms. Ritenbaugh moved that the board vote to move \$1 million from the Unlicensed Activity Account to the Operating Account. Ms. Smith seconded the motion. The motion passed unanimously.

Board Attorney's Report

Rules Report – 61G5-22.006, Florida Administrative Code – Facials (Including Skin Care and Hair Removal)

The board agreed to move forward with adoption of Rule 61G5-22.006, Florida Administrative Code.

Regulation Report

Complaints and Investigative Statistics July 2008 – March 2009

Ms. Barineau informed the board that the complaints and investigative statistics report for July 2008 through March 2009 was included in the agenda for informational purposes.

Bureau of Education and Testing

Ms. Barineau stated that there was nothing further to report at this time.

Board Member Comments

There were no further comments.

Chairperson Comments

Chair Jowers informed the board of a letter she received from the Veterinary Board Chair suggesting that as an attempt to help the state's budget crisis, board members should forgo their compensation during these difficult economic times. This matter was discussed, and it was agreed to continue accepting board member compensation for attendance at meetings.

Public Comments

Glow Skin Care, Inc. – Doctor Fish Pedicure Operation Sterilization, Sanitation and Maintenance Procedures

The board agreed to discuss the letter submitted by Glow Skin Care, Inc., regarding fish pedicure operation, sterilization, sanitation and maintenance procedures at their July 2009 board meeting.

Elections

Ms. Ritenbaugh nominated Ms. Myra Jowers as Board Chair. Ms. Smith seconded the nomination. The motion passed unanimously.

Ms. Smith nominated Ms. Ginny Fincel as Vice Chair. Chair Jowers seconded the nomination. The motion passed unanimously.

Dates and Locations for Future Meetings

Monday, July 20, 2009 – Orlando
Monday, October 12, 2009 - Tampa

The board agreed to send the following individuals to the National Interstate Council of State Board of Cosmetology's (NIC) annual meeting in Myrtle Beach, South Carolina, in September 2009:

- Myra Jowers, Chair
- Ginny Fincel, Vice Chair
- Robyn Barineau, Executive Director

Ms. Barineau stated that due to the current economic situation, she was unsure of how may, if any, board members or staff would be approved to travel to the NIC conference.

Adjournment

There being no further business, the meeting was adjourned at 3:15 p.m.