

MINUTES

**FLORIDA BOARD OF COSMETOLOGY
HILTON SAN DESTIN
4000 SANDESTIN BLVD. SOUTH
DESTIN, FLORIDA 32550**

Monday, January 22, 2018

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

Board Members Present

Robin Tabano, Chair
Rhonda Griffis, Vice Chair
Fran Poppell
Stephania Streit

Board Members Absent

Adrienne Harvey
Laurel Ritenbaugh
Jared Sutherland

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Julie Rowland, Government Analyst, DBPR
Lynette Norr, Assistant Attorney General, Office of the Attorney General
Rebecca Hayes, Chief Attorney, Office of the General Counsel, DBPR
Anthony Coniglio, Assistant General Counsel, Office of the General Counsel, DBPR
Katherine Southall, Court Reporter
Ashleigh Linder

The meeting was opened with a roll call and a quorum was established. The Board excused the absences of Ms. Adrienne Harvey, Ms. Laurel Ritenbaugh, and Mr. Jared Sutherland from the meeting.

DISCIPLINARY MATTERS

Informal Hearing

Mr. Anthony Coniglio, Assistant General Counsel, presented the following cases for consideration by the Board. The Board found that the Respondents were 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 adopts them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

- Wonder Nails of West Palm Beach and Phuoc Hoang; West Palm Beach; Case Nos. 2017028940 & 2017029236
\$850 fine and \$371.34 costs to be paid within six months
- Wonder Nails of West Palm Beach and Phuoc Hoang; West Palm Beach; Case Nos. 2017004710 & 2017010680
\$950 fine and \$263.77 costs to be paid within six months
Suspension of license CE10007620 and FV9548970 until all outstanding fines and costs are paid in full
- Anh Phan; Oklahoma City, OK; Case No. 2016047307

\$118.43 costs only; Revocation of license FV9595204

- M3 Makeup; Orlando; Case No. 2016035726
\$50 fine and \$789.72 costs to be paid within six months
- Jerimiah Ashmore; Lakeland; Case No. 2017010714
\$500 fine and \$88.55 costs to be paid within six months
- Paige Smith; Jacksonville; Case No. 2016057334
\$500 fine and \$84.96 costs to be paid within six months
- Jennifer Hill; West Palm Beach; Case No. 2017027338
Mr. Coniglio requested that this case be pulled from the agenda
- Sandra Cabrera; Miami; Case No. 2017020248
\$250 fine and \$64.75 costs to be paid within six months
- Another Broken Nail; Panama City; Case No. 2017037564
\$500 fine and \$368.49 costs to be paid within six months
Suspension of license CE10002847 for 14 days and until successful re-inspection
- All Stars Mobile Salon; Doral; Case No. 2017036045
\$200 fine and \$71.28 costs to be paid within six months
- V & Mi Nails & Spa and Sophie Che; Boca Raton; Case Nos. 2017039108 & 2017041682
\$500 fine and \$224.90 costs to be paid within six months
Suspension of license FS678 for 14 days
- Boca Nail Bar and Thanh Nguyen; Coral Springs; Case Nos. 2017025831 & 2017040512
\$500 fine and \$230.89 costs to be paid within six months
Suspension of license CE9999511 for 14 days and until successful re-inspection
- Organic Nail Bar and Teresa Tran; Delray Beach; Case Nos. 2017042721 & 2017048221
\$500 fine and \$358.67 costs to be paid within six months

Motion for Waiver of Rights and Final Order

Mr. Coniglio presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, the Respondents failed to respond within 21 days thereby waiving their right to elect a hearing in this 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 imposed the penalties shown below:

- Tasmine Ballentine; Orlando; Case No. 2016029636
\$500 fine and \$352.93 costs to be paid within six months
- Jacqueline Barnes; Pembroke Pines; Case No. 2017009894
\$500 fine and \$81.50 costs to be paid within six months
- Octavia Barnes; Orlando; Case No. 2016057129
\$500 fine and \$207.53 costs to be paid within six months
- Elite Nails Spa and Mai Ho; Boynton Beach; Case Nos. 2017014175 & 2017017581
\$500 fine and \$259.55 costs to be paid within six months
- Nail Fetish and Yen Nguyen; Palm Springs; Case Nos. 2017013613 & 2017017569
\$500 fine and \$214.20 costs to be paid within six months

- Fancy Nails and Tran Nhut; Crestview; Case Nos. 2017016209 & 2017040931
\$500 and \$196.34 costs to be paid within six months
- Le Sunrise Red Nails Spa and Hanh Le; Boca Raton; Case Nos. 2017025835 & 2017029230
\$500 fine and \$238.46 costs to be paid within six months
- Finesse Nails & Spa and Karen Le; Boca Raton; Case Nos. 2017024295 & 2017029227
\$500 fine and \$246.01 costs to be paid within six months
- Chancy Trinh; Tallahassee; Case No. 2017007109
\$500 fine and \$105.13 costs to be paid within six months
Suspension of license FS880469 for 14 days
- LaBella Nail Spa and Vy Hoang; Boynton Beach; Case Nos. 2017037267 & 2017037807
\$500 fine and \$268.87 costs to be paid within six months
- Elite Styles; Miami; Case No. 2017035767
\$500 fine and \$41.49 costs to be paid within six months
- Spirit Nail & Foot & Linhui Cheng; West Palm Beach; Case Nos. 2017032628 & 2017034830
\$500 fine and \$219.42 costs to be paid within six months
- Dailenis Figueroa; Hialeah Gardens; Case No. 2017039123
\$57.44 costs only; Revocation of license FV9599184

Settlement Stipulation

Mr. Coniglio presented the following cases for consideration by the Board. The Board moved to 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 and imposed the penalties shown below:

- Pamper Me Nails and Thinh Tran; Delray Beach; Case Nos. 2017014305 & 2017021136
\$500 fine and \$229.32 costs to be paid within 30 days
- Semiramis Arno; Boca Raton; Case No. 2017015786
\$500 fine and \$94.01 costs to be paid within six months
- Nick's Barber Salon; Lake Worth; Case Nos. 2017023063 & 2017023610
\$300 fine and \$406.43 costs to be paid within six months
- Splendor Nails Spa and Lan Truong; Tamarac; Case Nos. 2017038560 & 2017040532
\$500 fine and \$224.90 costs to be paid within six months
- Star Nails; Boynton Beach; Case No. 2017038269
\$500 fine and \$129.78 costs to be paid within six months
- Roberto Rivera; Lehigh Acres; Case No. 2017028081
\$500 fine and \$69.92 costs to be paid within six months
- DN Nails and Susan Nguyen; Boynton Beach; Case Nos. 2017035004 & 2017039160
\$500 fine and \$210.56 costs to be paid within six months
- Hair & Nails and Vu Nguyen; Weeki Wachee; Case Nos. 2017019349 & 2017039698
\$500 fine and \$216.74 costs to be paid within six months

- Jaden Nail Salon and Tri Nguyen; Delray Beach; Case Nos. 2017033707 & 2017042929
\$500 fine and \$201.44 costs to be paid within six months

Voluntary Relinquishment

- Gladys Viltres; Miami; Case No. 2017037815
\$92.79 costs only; Voluntary relinquishment of license FV9599014
- Lidia Rodriguez; Hialeah; Case No. 2017039185
\$76.12 costs only; Voluntary relinquishment of license FV9601393
- Maria Lema; Hollywood; Case No. 2017037626
\$81.55 costs only; Voluntary relinquishment of license CL1263493
- Franciocis Montes; Doral; Case No. 2017037966
\$61.53 costs only; Voluntary relinquishment of license FS900513
- Yolanda Diaz; Miami; Case No. 2017038965
\$109.99 costs only; Voluntary relinquishment of license FV9599189
- Georgina Camacho; Miami; Case No. 2017038895
\$133.64 costs only; Voluntary relinquishment of license FV9598253
- Osman Delopez; Miami; Case No. 2017038989
\$121.87 costs only; Voluntary relinquishment of license FS900266
- Dayanara Cohen; Hialeah; Case No. 2017038883
\$117.10 costs only; Voluntary relinquishment of license FS898158
- Diana Gospodinov; Phoenix, AZ; 2017040975
\$31.45 costs only; Voluntary relinquishment of license FS901798
- Zev Rose; Ormond Beach; Case No. 2017038753
\$128.86 costs only; Voluntary relinquishment of license CL1231200
- Yamisleidy Diaz; Hialeah; Case No. 2017038967
\$76.12 costs only; Voluntary relinquishment of license FV9598916
- Neda Vallejo; Miramar; Case No. 2017036837
\$87.42 costs only; Voluntary relinquishment of license FV9597407
- Patra Smith; Wilton Manors; Case No. 2017036982
\$79.09 costs only; Voluntary relinquishment of license FS901569
- Sandra Quintero; Miami; Case No. 2017040963
\$108.10 costs only; Voluntary relinquishment of license FS897807
- Visnu Gomez; Doral; Case No. 2017039114
\$79.51 costs only; Voluntary relinquishment of license FS899957
- Lissbet Hernandez; Miami; Case No. 2017039139
\$32.24 costs only; Voluntary relinquishment of license FS897888

Department Attorney Report

Mr. Coniglio informed the Board that as of January 5, 2018, there were 327 open cosmetology cases in the legal section.

APPLICATIONS

Hair Braiding Courses

Informal Hearing

Charmed Beauty Salon – Classroom

Ms. Chante Haynes was present for the meeting and was sworn in by Ms. Katherine Southall, Court Reporter. Ms. Robyn Barineau, Executive Director, noted that the course was denied at the October 16, 2017, Board meeting, based on the course content being outside the scope of practice of a hair braiding registration, incorrect references, outdated references, and vulgar language. After review, the Board approved the course with the following contingencies: correct grammatical errors, update laws and rules references, and strike vulgar language. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Synergy Entertainment – Internet

The Board tabled the application until the April 15, 2018, Board Meeting.

Initial Review

Prestige Health & Beauty – Correspondence

After review, the Board moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, outdated references, and incorrect disinfection procedures.

Orange Technical College Westside Campus – Classroom

After review, the Board moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, grammatical errors, outdated references, and incorrect references.

Building Braider's Academy – Classroom

After review, the Board moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, and grammatical errors.

Infinite Beauty and Beyond – Classroom

Ms. Ashleigh Linder was present for the meeting and was sworn in by the Court Reporter. After review, the Board approved the course with the following contingencies: strike references to "MSDS" and replace with "SDS", correct grammatical errors, and strike references to manicures and pedicures. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Ki'Ute Braids and Blades – Classroom

After review, the Board moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, incorrect disinfection procedures, and incorrect references.

Ross Beauty Academy – Internet

After review, the Board moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, outdated references, and incorrect references.

Jacksonville Braiding Academy – Classroom

After review, the Board moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, outdated references, and incomplete references.

Hair Wrapping Courses

Informal Hearing

Synergy Entertainment – Internet

The Board tabled the application until the April 15, 2018, Board Meeting.

Ross Beauty Academy – Internet

After review, the Board moved to deny the course based on the course being outside the scope of practice of a hair wrapping registration, outdated references, and incorrect references.

Body Wrapping Courses

Ross Beauty Academy – Internet

After review, the Board moved to deny the course based on the course content being outside the scope of practice of a body wrapping registration, outdated references, and incorrect references.

Continuing Education Courses

Monique Cosmetique – Lash & Brow Enhancements 4 Hour Internet

After review, the Board moved to approve the course with the following contingency: renumber steps under “prepare the client” and “curling rods”. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Basic Facial Refresher 4 Hour Internet

After review, the Board moved to approve the course with the following contingencies: strike references to “feet and massage”, and correct grammatical errors. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Designing the Perfect Brow 4 Hour Internet

After review, the Board moved to approve the course with the following contingency: correct grammatical errors. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Basic Makeup Application 4 Hour Internet

After review, the Board moved to approve the course with the following contingency: correct grammatical errors. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Waxing Refresher 4 Hour Internet

After review, the Board moved to deny the course based on grammatical errors, and incorrect references.

Monique Cosmetique – Airbrush Makeup Techniques 4 Hour Internet

After review, the Board moved to approve the course with the following contingency: correct grammatical errors. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Brazilian Waxing Techniques 4 Hour Internet

After review, the Board moved to deny the course based on grammatical errors.

Monique Cosmetique – Environmental Issues 1 Hour Classroom

After review, the Board moved to approve the course with the following contingency: strike references to “MSDS” and replace with “SDS”. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Worker’s Compensation 1 Hour Classroom

After review, the Board moved to approve the course.

Monique Cosmetique – Cosmetology Laws & Rules 2 Hour Classroom

After review, the Board moved to approve the course with the following contingency: strike references to “salons shall be inspected at least twice a year” and replace with “salons shall be inspected at least biennially”. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Ergonomics for the Beauty Professional 4 Hour Classroom

After review, the Board moved to approve the course.

Monique Cosmetique – Ergonomics for the Beauty Professional 4 Hour Internet

After review, the Board moved to approve the course.

Monique Cosmetique – Sugaring 4 Hour Internet

After review, the Board moved to approve the course with the following contingency: correct grammatical errors. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Threading Techniques 4 Hour Internet

After review, the Board moved to approve the course with the following contingency: correct grammatical errors. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Sanitation & Sterilization 3 Hour Classroom

After review, the Board moved to approve the course with the following contingency: strike “nail clippers, scissors and other tools that come into contact with blood or bodily fluids require sterilization” and replace with “nail clippers, scissors and other tools that come into contact with blood or bodily fluids require proper disinfection”. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – Chemical Makeup 2 Hour Classroom

After review, the Board moved to approve the course.

Monique Cosmetique – HIV/AIDS 2 Hour Classroom

After review, the Board moved to approve the course with the following contingency: strike reference to “HIV jumping from apes to humans” in the course materials. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval.

Monique Cosmetique – OSHA 1 Hour Classroom

After review, the Board moved to approve the course with the following contingency: strike references to “MSDS” and replace with “SDS”. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval.

Sesderma USA – Introduction to Skin Pathologies: Hyperpigmentation 4 Hour Classroom

After review, the Board moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees.

Aaron Classes – Continuing Education Course 16 Hour Internet

After review, the Board moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees.

Martell Beauty – Eyelash Extensions 8 Hour Classroom

After review, the Board moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees.

Continuingcosmetology.com – Florida HIV/AIDS 2 Hour Internet

After review, the Board moved to approve the course with the following contingency: strike vulgar references. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

ContinuingCosmetology.com – Continuing Education 16 Hour Internet

After review, the Board moved to approve the course with the following contingency: strike vulgar references. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Aaron Classes – HIV/AIDS Course 2 Hour Internet

After review, the Board moved to approve the course.

Fairy Hair – Intro to Microlinks, Fusion and Tape-in Extensions – 8 Hour Classroom

After review, the Board moved to deny the course based on the course content being product driven.

Cloud Nine Beauty School – Cosmetology Continuing Education 16 Hour Internet

After review, the Board moved to deny the course based on outdated references, and incorrect references.

Initial HIV/AIDS Courses

Initial Review

Aaron Classes – Internet

After review, the Board moved to approve the course.

Ross Beauty Academy – Internet

After review, the Board moved to approve the course.

Advanced Massage Techniques – Internet

After review, the Board moved to approve the course.

OTHER BUSINESS

Executive Director Report

Financial Report for Period Ending September 2017

Ms. Barineau reported that the balance in the Board's operating account as of September 30, 2017, was over \$6.9 million, and the balance in their unlicensed activity account was over \$3.3 million for the same period.

Correspondence

Complaints and Investigative Statistics – July 2017 – November 2017

Ms. Barineau informed the Board that the Complaints and Investigative Statistics Report was included in the agenda for informational purposes.

Cosmetology Examination Summary – January 2017 – November 2017

Ms. Barineau informed the Board that the Cosmetology Examination Summary was included in the agenda for informational purposes.

Dates and Locations of Future Meetings

April 16-17, 2018 – Altamonte Springs
July 16-17, 2018 – Lake Mary
October 8-9, 2018 – Daytona Beach
January 14-15, 2019 – Destin

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 1:00 p.m.

Tuesday, January 23, 2018

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

Board Members Present

Robin Tabano, Chair
Rhonda Griffis, Vice Chair
Fran Poppell
Stephania Streit

Board Members Absent

Adrienne Harvey
Laurel Ritenbaugh
Jared Sutherland

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Julie Rowland, Government Analyst, DBPR
Lynette Norr, Assistant Attorney General, Office of the Attorney General
Anthony Coniglio, Assistant General Counsel, Office of the General Counsel, DBPR
Rebecca Hayes, Chief Attorney, Office of the General Counsel, DBPR
Katherine Southall, Court Reporter
Candace McArthur
Thomas Castiglia
Jessie Clark

The meeting was opened with a roll call and a quorum was established.

APPROVAL OF MINUTES

The Board approved the minutes from the December 13, 2017, Board meeting.

APPLICATIONS

Licensure Applications

Informal Hearing

Charlotte Monjah

Ms. Monjah was not present for the meeting. Ms. Barineau informed the Board that the application was denied at the December 13, 2017, Board meeting, based on the noted criminal history. After review, the Board moved to uphold the denial based on the noted criminal history.

Initial Review

Tonya Pereira

Ms. Pereira was not present for the meeting. After review, the Board tabled the application until the April 15, 2018, Board Meeting. Ms. Pereira waived the deemer clause to afford time to resolve the pending disciplinary matter.

Elizabeth Ann Jackson

Ms. Jackson was not present for the meeting. After review, the Board moved to deny the application as the application failed to demonstrate that she met the requirements of Section 477.119(2), Florida Statutes, and Rule 61G5-18.001, Florida Administrative Code.

Sanya Cuencas

Ms. Cuencas was not present for the meeting. After review, the Board moved to deny the application based on previous unsatisfied discipline.

Thomas Castiglia

Mr. Castiglia and Mr. Jessie Clark, Esquire, were present for the meeting and were sworn in by the Court Reporter. After discussion, the Board tabled the application until the April 17, 2018, Board Meeting. Mr. Clark verbally waived the deemer clause to afford time to research additional schools.

Candice McArthur

Ms. McArthur was present for the meeting and was sworn in by the Court Reporter. After review, the Board moved to approve the application and imposed probation on the license to run concurrent with her criminal probation.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:30 a.m.