

MINUTES

FLORIDA BOARD OF COSMETOLOGY TELEPHONE CONFERENCE CALL MEETING

Monday, April 19, 2021

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

Board Members Present

Robin Tabano
Rhonda Griffis, Chair
Stephania Streit
Fran Poppell
Adrienne Harvey
Laurel Candelario
Jared Sutherland, Vice Chair

Board Members Absent

Other Persons Present

Julie Brown, Secretary, Department of Business and Professional Regulation (DBPR)
Krista Woodard, Executive Director, DBPR
Julie Rowland, Government Analyst, DBPR
Lynette Norr, Assistant Attorney General, Office of the Attorney General
Crystal Stephens, Assistant General Counsel, Office of the General Counsel, DBPR
Goliath Davis, Assistant General Counsel, Office of the General Counsel, DBPR
Shanna Kay Turner, Assistant General Counsel, Office of the General Counsel, DBPR
Ray Convery, Court Reporter
Robert Casassa, Esq.
Sarah Geltz, Esq.
Linda Muniz
Tung Nguyen
Tasha Witte
Shirley Wiggs
Kathy Oldham
Pamela Kemper
Jeffery Kemper

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

Welcome from the Secretary

Secretary Julie Brown introduced herself to the Board and thanked them for their service. She also informed the Board that she looks forward to working with them in the future.

DISCIPLINARY MATTERS

Ms. Crystal Stephens, Assistant General Counsel, requested that the board admit into evidence the investigative file and supporting documentation for the cases below.

Informal Hearing

Ms. Stephens 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 these matters, 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:

- Linda Muniz; Fern Park; Case No. 2019018357
\$500 fine and \$374.61 costs to be paid within six months
- TN Red Nails; Tamarac; Case No. 2020040560
\$500 fine and \$74.53 costs to be paid within six months

Election of Waiver of Rights and Final Order

Mr. Davis and Ms. Stephens 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 these matters, that the Board accept the allegations as stated in the Administrative Complaints and adopt them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

- Elite Nails & Spa; West Palm Beach; Case No. 2019047124
\$1,700 fine and \$179.16 costs to be paid within six months
Revocation of license CE10004672
- Nail Expert & Spa; Ruskin; Case No. 2020046884
\$1,000 fine and \$91.41 costs to be paid within six months
Suspension of license CE9970060 for 30 days
- Star Nails & Spa 2; Oakland Park; Case No. 2020046495
\$550 fine and \$92.36 costs to be paid within six months
- Venetian Nail Spa; Coral Springs; Case No. 2020010096
\$1,050 fine and \$195.50 costs to be paid within six months
Suspension of license CE10006252 for 30 days
- Lovely Nails I; Lauderdale Lakes; Case No. 2020041984
\$500 fine and \$122.20 costs to be paid within six months
- Uprising Salon & Barbershop; Deerfield Beach; Case No. 2020012314
\$1,250 fine and \$82.56 costs to be paid within six months

Motion for Waiver of Rights and Final Order

Mr. Davis, Ms. Turner and Ms. Stephens presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, and have elected to waive their rights to a hearing in these matters. The Board moved to 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:

- Tung Minh Pham; West Palm Beach; Case No. 2019050027
\$1,400 fine and \$146.49 costs to be paid within six months
Revocation of license FV9543139
- Indigo Cuts; Pembroke Pines; Case No. 2020045498
\$1,500 fine and \$70.11 costs to be paid within six months

- Prime Time Hair & Nails; Delray Beach; Case No. 2020050338
\$200 fine and \$129.36 costs to be paid within six months
- Anibal Roman; Boynton Beach; Case No. 2020053189
\$500 fine and \$129.36 costs to be paid within six months
Suspension of license FV9586212 for 30 days
- Garey Johnson; Sanford; Case No. 2020048280
\$1,000 fine and \$267.08 costs to be paid within six months
- Kikis Hair Kreations; Port St. Lucie; Case No. 2020038932
\$250 fine and \$162.83 costs to be paid within six months
- Erschad Akbar; Coconut Creek; Case No. 2020055806
\$500 fine and \$129.36 costs to be paid within six months
- Love Nail 2; Stuart; Case No. 2020049805
\$700 fine and \$168.05 costs to be paid within six months
- Tracy Nguyen; Stuart; Case No. 2020052143
\$250 fine and \$146.49 costs to be paid within six months
- Nextgen Nails at Boynton; Boynton Beach; Case No. 2020049799
\$900 fine and \$126.49 costs to be paid within six months
- Kirenia Cadalzo; Port St. Lucie; Case No. 2020045909
\$250 fine and \$126.17 costs to be paid within six months
- Kateria Smith; Ocala; Case No. 2020040973
\$1,000 fine and \$344.59 costs to be paid within six months
- Top Design Nails; Stuart; Case No. 2020030600
\$500 fine and \$187.29 costs to be paid within six months
- 3DS Barber Salon; Vero Beach; Case No. 2020005260
\$1,300 fine and \$195.50 costs to be paid within six months
- Nga Nguyen; Tampa; Case No. 2020015501
\$500 fine and \$60.45 costs to be paid within six months
Revocation of license FV9617880
- Elegant Nails; Tallahassee; Case No. 2020038870
\$250 fine and \$53.93 costs to be paid within six months
- Pro Nails; Clearwater; Case No. 2020044048
\$500 fine and \$74.99 costs to be paid within six months

Settlement Stipulation

Mr. Davis and Ms. Turner 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:

- Ocala Nail Salon and Kha Kinh Dang; Ocala; Case Nos. 2020046490 & 2020057758
\$500 fine and \$356.36 costs to be paid within six months
- B V T Nails; Dunedin; Case No. 2020050076
\$500 fine and \$82.36 costs to be paid within six months
- Legacy 1; Orlando; Case No. 2020033874
\$500 fine and \$438.49 costs to be paid within six months
- Soho Nail Spa; Clearwater; Case No. 2020050331
\$500 fine and \$82.35 costs to be paid within six months
- T'Amour Nails; Pembroke Pines; Case No. 2020039854
\$650 fine and \$70.11 costs to be paid within six months
- Holiday Nail; Holiday; Case No. 2020049801
\$500 fine and \$96.63 costs to be paid within six months
- TL Luxury Nails; Ft. Lauderdale; Case No. 2020049698
\$500 fine and \$95.93 costs to be paid within six months
- A&H Nails Co.; Spring Hill; Case No. 2020049800
\$500 fine and \$87.58 costs to be paid within six months
- Tiffany Nails & Skincare; Boynton Beach; Case No. 2020049804
\$750 fine and \$110.31 costs to be paid within six months
- Angel Beauty Bar & Barbershop; N. Lauderdale; Case No. 2020039383
\$200 fine and \$98.74 costs to be paid within six months
- Bao Nguyen Ho; Tallahassee; Case No. 2020038877
\$250 fine and \$47.41 costs to be paid within six months
- Goddess Nails; Bradenton; Case No. 2020036683
\$500 fine and \$74.99 costs to be paid within six months
- Thanh Cong Pham; Stuart; Case No. 2020040098
\$250 fine and \$126.17 costs to be paid within six months
- Mimi Nails & Spa; Valrico; Case No. 2020043632
\$500 fine and \$42.15 costs to be paid within six months

Motion for Informal

Ms. Stephens presented the following case for consideration by the Board. The Board found that the Respondent was properly served with the Administrative Complaint, and have elected to waive their rights to a hearing in this matter. The Board moved to 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:

- Turbo Nails; New Port Richey; Case No. 2020047984
\$1,000 fine and \$91.41 costs to be paid within six months
Suspension of license CE10006285 for 30 days

Department Attorney Report

Ms. Stephens informed the Board that as of March 9, 2021, there were 70 open cosmetology cases in the legal section.

APPLICATIONS

Continuing Education Courses

Initial Review

ASM Beauty World Academy – Cosmetology CE Course 10 Hour Internet

After review, the Board moved to approve the course.

Mountain Troll Marketing – FL Cosmetology Domestic Abuse 10 Hour Internet

Ms. Kathy Oldham was present for the meeting. After review, the Board moved to approve the course with the following contingencies: update references and source materials, and replace sterilize with sanitized, replace esthetician with facial specialist, and replace 16 hours of continuing education with 10 hours. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Cosmetology Renewals – Florida 10 Hour Internet

After review, the Board moved to approve the course with the following contingency: remove out of scope sentence from the course materials. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval.

Cloud Nine Beauty School – Continuing Education Course 16 Hour Internet

Mr. Hung Nguyen was present for the meeting. After review, the Board moved to deny the course based on the course content being outside the scope of practice of Florida Board of Cosmetology licensees, product driven, incorrect information, and outdated references.

Monique Cosmetique – CE Requirement 10 Hour Internet

Ms. Tasha Witte was present for the meeting. After review, the Board moved to approve the course with the following contingency: update laws and rules. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval.

Cloud Nine Beauty School – Continuing Education Course 10 Hour Internet

Ms. Nguyen was present for the meeting. After review, the Board moved to deny the course based on the course content being outside the scope of practice of Florida Board of Cosmetology licensees, product driven, incorrect information, and outdated references.

Global Trichology – Introduction to Trichology 4 Hour Internet

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

MiladyPro – Make More Money with Service 1 Hour Internet

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

MiladyPro – Men's Haircutting 1 Hour Internet

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

MiladyPro – Make More Money with Nail Services 1 Hour Internet

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

MiladyPro – Make More Money with Salon Suites 1 Hour Internet

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

MiladyPro – Domestic Abuse Awareness 1 Hour Internet

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

MiladyPro – Human Trafficking Awareness 1 Hour Internet

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

MiladyPro – Infection Control 4 Hour Internet

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

MiladyPro – Razor Cutting w/Nick Arrojo: One Length Bob with Blunt Bangs 1 Hour Internet

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

MiladyPro – Razor Cutting w/Nick Arrojo: Classic Long Layer w/ Choppy Bangs 1 Hour Internet

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

MiladyPro – Razor Cutting w/Nick Arrojo: Bob Graduation + Side Swept Bangs 1 Hour Internet

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

MiladyPro – Make More Money with Clients 1 Hour Internet

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

MiladyPro – Make More Money with Marketing 1 Hour Internet

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

MiladyPro – Make More Money with Retail 1 Hour Internet

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

Continuingcosmetology.com – Florida 10 Hour CE Course 10 Hour Internet

After review, the Board moved to approve the course with the following contingencies: strike product driven references, update laws and rules references, and add sentence that specifies MMA is illegal in Florida. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

Jumozy – Microdermabrasion: Crystal Free Techniques 5 Hour Internet

Ms. Kathy Oldham was present for the meeting. After review, the Board moved to approve the course.

RECESS

There being no further business, the meeting was recessed at approximately 1:45 p.m.

Tuesday, April 20, 2021

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

Board Members Present

Rhonda Griffis, Chair
Robin Tabano
Stephania Streit
Fran Poppell
Laurel Candelario
Jared Sutherland, Vice Chair

Board Members Absent

Adrienne Harvey (excused)

Other Persons Present

Krisa Woodard, Executive Director, Department of Business and Professional Regulation (DBPR)
Julie Rowland, Government Analyst, DBPR
Lynette Norr, Assistant Attorney General, Office of the Attorney General
Crystal Stephens, Assistant General Counsel, Office of the General Counsel, DBPR
Shanna Kay Turner, Assistant General Counsel, Office of the General Counsel, DBPR
Ray Convery, Court Reporter
Marissa Savelle
Oumayme Bouda
Eric Zausner
Page Csonka
Sharell Collins
Celine Vu
Gabriela Silva Ojeda
Nancy Russ
Violeta Friestad
Yousef Atouni
Vanessa Nguyen
Eleana Bou
Thomas Saxton
Dana Barnett

The meeting was opened with a roll call and a quorum was established. The Board excused the absence of Ms. Adrienne Harvey from the meeting.

APPROVAL OF MINUTES

The Board approved the minutes of the March 1, 2021 Board meeting.

APPLICATIONS

Licensure Applications

Initial Review

Elvis Pimenta / New York

Mr. Pimenta was not present for the meeting. After review, the Board moved to deny the application due to the applicant having a license or authority to practice the regulated profession (Barbers' Board) revoked, suspended or otherwise acted against by the licensing authority of any jurisdiction; obtaining a Florida Barber's license to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or board; by submission of a SpanTran evaluation that was not genuine; and by failing to disclose as prior discipline revocation of a Florida Barber's license.

Marissa Savelle

Ms. Savelle was present for the meeting. After review, the Board moved to approve the application.

Richelle De Melo Nobre

Ms. Nobre was not present for the meeting. After review, the Board moved to deny the application due to the applicant having a license or authority to practice the regulated profession (Barbers' Board) revoked, suspended or otherwise acted against by the licensing authority of any jurisdiction; obtaining a Florida Barber's license to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or board; by submission of a SpanTran evaluation that was not genuine; and by failing to disclose as prior discipline revocation of a Florida Barber's license.

Nam Hoai Nguyen

Ms. Nguyen not present for the meeting. After review, the Board moved to deny the application due to applicant having a license or authority to practice the regulated profession revoked, suspended or otherwise acted against by the licensing authority of any jurisdiction; obtaining a Florida license to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or board; obtaining a Florida license by fraudulent misrepresentation by submitting false documentation based on a Colorado license and by failing to disclose as prior discipline relinquishment of a Florida Nail Specialist registration.

Oumayma Bouda / Morocco

Ms. Bouda, and Mr. Yousef Atouni were present for the meeting. After review, Ms. Bouda verbally waived the 90 day deemer clause to allow her additional time to provide additional documentation.

Jalayne Barbosa / New York

Ms. Barbosa was not present for the meeting. After review, the Board moved to deny the application due to the applicant having a license or authority to practice the regulated profession (Barbers' Board) revoked, suspended or otherwise acted against by the licensing authority of any jurisdiction; obtaining a Florida Barber's license to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or board; by submission of a SpanTran evaluation that was not genuine; and by failing to disclose as prior discipline revocation of a Florida Barber's license.

Thi Hoang An Le

Ms. Le was not present for the meeting. After review, the Board moved to approve the application.

Thuy Thi Tran

Ms. Tran was not present for the meeting. After review, the Board moved to deny the application due to applicant having multiple violations of having a license or authority to practice the regulated profession revoked, suspended or otherwise acted against by the licensing authority of any jurisdiction; obtaining a Florida license to practice a profession by fraudulent misrepresentation when they failed to disclose a prior application denial, attempting to obtain a Florida license by fraudulent misrepresentation when they failed to disclose the discipline and/or revocations as prior actions; and sanitation violations and unlicensed practice violations as a significant danger to the Public.

Soraya De Rolon

Ms. De Rolon was not present for the meeting. After review, the Board moved to approve the application.

Eric Zausner / Connecticut

Mr. Zausner was present for the meeting. After review, the Board moved to approve the application.

Toni German

Ms. German was not present for the meeting. After review, the Board moved to deny the application based on pending criminal cases.

Page Csonka / North Carolina

Ms. Csonka was present for the meeting. After review, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

Sharell Collins / Georgia

Ms. Collins was present for the meeting. After review, the Board moved to approve the application.

Sarah Lowe / Canada

Ms. Lowe was not present for the meeting. After review, the Board moved to deny the application as the application fails to demonstrate she meets the requirements of Section 477.019, Florida Statutes.

Valeria Longa Rodriguez

Ms. Rodriguez was not present for the meeting. After review, the Board moved to deny the application due to the applicant attempting to obtain a license to practice a profession through fraudulent misrepresentation through submission of forged schooling credentials.

Carmen Rodriguez Calderin

Ms. Calderin was not present for the meeting. After review, the Board moved to deny the application due to the applicant attempting to obtain a license to practice a profession through fraudulent misrepresentation through submission of forged schooling credentials.

Celine Vu / Colorado

Ms. Vu, and Ms. Vanessa Nguyen were present for the meeting. After review, the Board moved to approve the application.

Gabriela Silva Ojeda / Argentina

Ms. Ojeda was present for the meeting. After review, the Board moved to approve the application.

Brittany Taylor

Ms. Taylor was not present for the meeting. After review, the Board moved to deny the application due to the applicant attempting to obtain a license to practice a profession through fraudulent misrepresentation through submission of forged schooling credentials.

Dana Barnett

Ms. Barnett and Mr. Thomas Saxton were present for the meeting. After review, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

Violeta Friestad / Nevada

Ms. Friestad was present for the meeting. After review, the Board moved to approve the application.

Elsa Cruz Morales

Ms. Morales was not present for the meeting. After review, the Board moved to approve the application.

Alexes Coats

Ms. Coats was not present for the meeting. After review, the Board moved to deny the application due to the applicant attempting to obtain a license to practice a profession through fraudulent misrepresentation through submission of forged schooling credentials.

Haime Ulloa

Ms. Ulloa was not present for the meeting. After review, the Board moved to deny the application due to previous outstanding discipline and the applicant being convicted of a crime or crimes which relate to the practice of cosmetology.

Klodiana Abedini / Albania

Ms. Abedini was not present for the meeting. After review, the Board moved to approve the application.

Ingedy Nogueira Ferreira / New York

Ms. Ferreira was not present for the meeting. After review, the Board moved to deny the application due to the applicant having a license or authority to practice the regulated profession (Barbers' Board) revoked, suspended or otherwise acted against by the licensing authority of any jurisdiction; obtaining a Florida Barber's license to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or board; by submission of a SpanTran evaluation that was not genuine; and by failing to disclose as prior discipline revocation of a Florida Barber's license.

OTHER BUSINESS

Board Attorney Report

61G5-18.00015, (FAC) – Cosmetologist and Compensation Defined (definitions)

Ms. Lynette Norr, Assistant Attorney General, provided proposed language for the Board to review. The Board and other members of the public provided clarification and insight into the proposed language. Ms. Norr advised that she would bring this rule back to the July 2021 meeting for further discussion and input.

Executive Director Report

Financial Report for Period Ending December 2020

Ms. Krista Woodard, Executive Director, reported that the balance in the Board's operating account as of December 31, 2020, was over \$1.4 million, and the balance in the unlicensed activity account was \$3.2 million for the same period.

Correspondence

Complaints and Investigative Statistics – July 2020 – February 2021

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

Cosmetology Examination Summary – January 2021 – February 2021

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

Dates and Locations of Future Meetings

July 19-20, 2021 – Orlando

October 11-12, 2021 – Sarasota

January 24-25, 2022 – Location to be determined

April 11-12, 2022 – Location to be determined

July 18-19, 2022 – Location to be determined

October 17-18, 2022 – Location to be determined

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 1:45 p.m.