

MINUTES

**BOARD OF COSMETOLOGY
Department of Business and Professional Regulation
Homewood Suites
8745 International Drive
Orlando, Florida 32819**

Monday, July 20, 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
Ginny Fincel, Vice Chair
Monica Smith
Donna Osborne
Laurel Ritenbaugh

Board Members Absent

Rosabel Ramos

Other Persons Present

Charles Drago, Secretary, Department of Business and Professional Regulation (DBPR)
Robyn Barineau, Executive Director, DBPR
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

Diana Garcia, 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
Terry Brewer, Florida Cosmetology Association
John Conley, The Hairwraps Company
David Beaudrie
Darian Nguyen, Respondent
Annette Parrish, Applicant
Pat Martin, Bene's International Academy
Melisa Sawyer, Applicant
Portia Washington, Natural Braider Empire
Michelle Croxton, Respondent
Roberta Wheeler, Respondent
Chris Carpenter, Synergy Entertainment
Rachel Feny, Respondent
Yibo Feny, Respondent
Sandy Karny, Salon Professional Academy
Tony Tran, Respondent
Calanna Floyd, Applicant
Richard Washington

Truong Duong, Respondent
Jamilla Khavari, Respondent
Armin Khtarekhavari, Respondent
Cam Tu Nguyen, Respondent
Kim Hoang Tran, Respondent
Katina Johnson, Johnson and Black
Antoinette Black, Johnson and Black
Leelah Donelson, Respondent
Huan Le, Respondent
Cathy Coleman
Tuan Pham, Respondent
Anh Huynh, Respondent
Flora Arzuaga, Respondent
Leticia Milazzo, ASM Beauty World Academy
Lindsey McManus, Applicant

The meeting was opened with a roll call and a quorum was established. Chair Myra Jowers excused Ms. Rosabel Ramos' absence from the meeting.

Chair Jowers welcomed Secretary Charles Drago to the meeting. Secretary Drago thanked the board for the opportunity to join their meeting and extended his thanks to the members for their service on the board and dedication to the cosmetology profession. Secretary Drago reiterated his goal to streamline the department processes to make the Department of Business and Professional Regulation an easier place to do business. Secretary Drago noted that the hold times for callers into the department's Customer Contact Center have been reduced to under two minutes, the time for a Tier N response to emailers has been reduced to a day or two, and the time to process an application by the department's Central Intake Unit has been reduced to approximately five days. Secretary Drago informed the board of the EZApply initiative and asked the board members to provide any suggestions for improvements. Secretary Drago also described the Quality on Line initiative. He also noted that the 2009 legislative session was very successful for the department and solicited the board members for any legislative suggestions that would Accelerate Florida. The board thanked Secretary Drago for attending the meeting.

Approval of Minutes: April 27, 2009

Ms. Laurel Ritenbaugh moved to approve the minutes from the April 27, 2009, board meeting. Ms. Donna Osborne seconded the motion. The motion passed unanimously.

Disciplinary Matters

Informal Hearings

Regarding Case No. 2009-008609 against Armin Akhtarekhavari of Miami Beach, Ms. LeChea Parson, Assistant General Counsel, informed the board that the Respondent had elected an informal hearing in the matter. Mr. Armin Akhtarekhavari 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 \$35.98. Ms. Ginny Fincel, Vice Chair, 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

\$35.98. Ms. Ritenbaugh seconded the motion, and the motion passed unanimously.

Regarding Case No. 2008-001768 against Crazy Cuts of Miami, 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 \$1,500 and costs of \$32.36. Ms. Donna Osborne 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 \$32.36. 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. Vice Chair Fincel seconded the motion, and the motion passed unanimously.

Regarding Case No. 2008-045118 against Flora's Beauty Salon of Homestead, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Ms. Flora Arzuaga 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 \$1,000 and costs of \$65.48. Vice Chair 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 of \$65.48. 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 No. 2008-041025 against Gina Thuy Dang of Gibsonton, 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 \$700 and costs of \$159.41. Ms. 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 \$700 and costs of \$159.41. Ms. Monica Smith seconded the motion, and the motion passed unanimously.

Regarding Case No. 2008-034689 against Ocean Nails & Spa of Palm Harbor, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Huan Le 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 \$351.44. Ms. Osborne 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 \$700 and costs of \$159.41. Ms. Ritenbaugh seconded the motion, and the motion passed unanimously.

Regarding Case No. 2008-005142 against Hung Dinh Phung of Stuart, 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 \$146.09. Vice Chair 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 \$146.09 to be paid over a period of six months, with the first payment of \$146.09 due within 30 days of the final order and five monthly payments of \$300 each. 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. Smith seconded the motion and the motion passed unanimously.

Regarding Case No. 2007-000718 against Sky High Salon & Barbershop of Orlando, 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 \$1,000 and costs of \$92.93. Ms. Osborne 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 of \$92.93. 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. Smith seconded the motion, and the motion passed unanimously.

Regarding Case No. 2009-008593 against Surmeh Beauty and Rejuvenation Center of Miami, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Ms. Janilla Khavari 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 \$35.98. Ms. Osborne 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 \$700 and costs of \$159.41. Vice Chair Fincel seconded the motion, and the motion passed unanimously.

Regarding Case Nos. 2008-053513 and 2008-058578 against Sunshine Nails and Tuan Q. Pham of Clearwater, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Tuan Q. Pham 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 \$186.84. Ms. Osborne 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 \$186.84. Ms. Ritenbaugh seconded the motion, and the motion passed unanimously.

Regarding Case Nos. 2008-056210 and 2008-063486 against Ultimate Nails and Anh Ngoc Huynh of Clearwater, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Ms. Anh Ngoc Huynh and Mr. Tuan Phan were present for the meeting. Ms. Huynh and Mr. Phan 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 \$400.61. Ms. Osborne 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 \$400.61 to be paid over a period of six months, with the first payment of \$400.61 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 No. 2008-001078 against Lexi Nail & Spa of Clearwater, Ms. Parson informed the board that the Respondent had elected an informal hearing in the matter. Truong Duong 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 \$70.41. Ms. Smith 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 \$70.41. Ms. Osborne 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:

- #1 Nail and Huy Cong Tran; Largo
Case Nos. 2008-041456 and 2009-007664
\$500 fine and \$309.79 costs
- Annabella's Hair Salon; Miami
Case No. 2008-056730
\$500 fine and \$97.07 costs
- Bao Quang Le; Tavares
Case No. 2008-029478
\$500 fine and \$167.92 costs
- Bliss Nail & Tan and Julie Tuyet Nguyen; Tampa
Case Nos. 2008-048925 and 2008-053913
\$500 fine and \$371.13 costs
- Elvershon Eldrake Williams; Jacksonville
Case No. 2008-045663
\$500 fine and \$56.50 costs
- Hai Minh and Pro Nails; Lakeland
Case Nos. 2008-058093 and 2008-049937
\$500 fine and \$176.26 costs
- Happy Nails; Tallahassee
Case No. 2008-049798
\$500 fine and \$124.26 costs
- Nails On, Inc.; Ocala
Case No. 2008-003834
\$500 fine and \$132.74 costs
- Nails So Happy and Hoan Cong Nguyen; Brooksville
Case Nos. 2008-053600 and 2008-058599
\$500 fine and \$383.41 costs

- Nicholas Nails II; Spring Hill
Case Nos. 2008-053593 and 2008-058591
\$500 fine and \$177.02 costs
- Nail Trap; Largo
Case No. 2008-041458
\$500 fine and \$309.79 costs
- Veronique Dramou; Jacksonville
Case No. 2008-002831
\$500 fine and \$53.11 costs
- Violette House of Beauty; Orlando
Case No. 2008-050594
\$1,000 fine and \$189.41 costs
- Yira M. Nieblas
Case No. 2008-047616
\$250 fine and \$53.17 costs

Motions for Waiver of Rights and Final Order

Regarding Case No. 2009-006226 against Alameda Beauty Salon of Hialeah, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and costs of \$21.06. The Respondent was not present for the meeting. Vice Chair 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 \$21.06, plus six months stayed suspension against the Respondent's license. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's license will be suspended. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-04785 against Anthony Mergal of Brooksville, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$105.55. The Respondent was not present or represented for the meeting. Ms. Osborne 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 \$105.55. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-029427 against Donald Roye of West Palm Beach, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$125.55. 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 \$125.55. Ms. Ritenbaugh seconded the motion, and the motion passed unanimously.

Regarding Case No. 2008-036234 against Hieu Nguyen of Jacksonville, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and costs of \$305.07, plus revocation of the Respondent's license based on the fraudulent attempt to obtain the license. The Respondent was not present or represented for the meeting. Vice Chair 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 \$305.07, plus revocation of the Respondent's license based on the facts presented. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-041964 against House of Beauty of Orlando, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and costs of \$213.18, 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. Vice Chair 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 one year stayed suspension against the Respondent's license. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's license will be suspended. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-041097 against Huong Thi Nguyen of Charlotte, North Carolina, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and \$183.40, plus revocation of the Respondent's license, based on the fraudulent attempt to obtain the license. 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 \$183.40, plus revocation of the Respondent's license, based on the facts presented. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Regarding Case No. 2009-003173 against Maria Luisa Beauty Shop of Miami, Ms. Parson presented the department's case and suggested assessing a fine of \$750 and costs of \$24.97. 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. Osborne 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 \$750 and costs of \$24.97 to be paid over a period of six months, with the first payment of \$24.97 due within 30 days of the final order and five monthly payments of \$150 each, plus six months stayed suspension against the Respondent's license. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's license will be suspended. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2006-065728 against Maxine Howe of Clermont, Ms. Parson presented the department's case and suggested assessing a fine of \$1,500 and costs of

\$119.40. The Respondent was not present or represented for the meeting. Ms. Osborne 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 \$119.40. Vice Chair Fincel seconded the motion. The motion passed unanimously.

Regarding Case Nos. 2008-058015 and 2008-058016 against Passion Nails and Line Zhai of Palm Coast, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$402.64. The Respondent was not present for the meeting. Ms. Parson noted that the Respondent forwarded a request for a payment plan to her office. 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 \$500 and costs of \$402.64 to be paid over a period of six months, with the first payment of \$402.64 due within 30 days of the final order and five monthly payments of \$100 each. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-041967 against Sky High Salon & Barbershop of Orlando, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and costs of \$212.88. The Respondent was not present or represented for the meeting. Vice Chair 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 \$212.88. 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. Smith seconded the motion, and the motion passed unanimously.

Regarding Case No. 2006-064467 against Sophie Haulotte of Wellington, Ms. Parson presented the department's case and suggested assessing a fine of \$1,500 and costs of \$113.20. The Respondent was not present or represented for the meeting. Vice Chair 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 \$113.20. 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. Smith seconded the motion, and the motion passed unanimously.

Regarding Case Nos. 2008-015917 and 2008-015921 against Sunshine Hair and Aracelis Gonzalez of Pahokee, Ms. Parson presented the department's case and suggested assessing a fine of \$1,500 and costs of \$214.28. The Respondent was not present or represented for the meeting. Ms. Osborne 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 \$214.28. 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. Smith seconded the motion, and the motion passed unanimously.

Regarding Case Nos. 2008-058780 and 2009-001608 against T-Nails and Tin Tan Ly of Holiday, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$178.88. The Respondent was not present or represented for the meeting. It was noted that the fine and costs have been paid in full. 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 \$500 and costs of \$178.88. Ms. Smith seconded the motion. The motion passed unanimously.

Regarding Case No. 2008-051390 against Victor Villalobos of Coconut, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and costs of \$81.25. The Respondent was not present or represented for the meeting. Vice Chair 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 \$81.25, plus six months stayed suspension against the Respondent's license. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the Respondent's license will be suspended. Ms. Ritenbaugh seconded the motion. 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:

- Cardoja Queen; Tallahassee
Case No. 2008-063971
\$500 fine and \$88.83 costs
- Charlotte Davis; Orlando
Case No. 2008-016315
\$500 fine and \$107.22 costs
- Christine Denise Mascia; Stuart
Case No. 2008-020288
\$500 fine and \$77.61 costs
- Debonair Beauty Salon; Gainesville
Case No. 2008-031740
\$500 fine and \$61.97 costs
- David Nguyen; Tallahassee
Case No. 2008-066259

\$500 fine and \$53.17 costs

- Dennis Patrick Lederer; Pinellas Park
Case No. 2008-14523
\$500 fine and \$78.68 costs
- Drenched Salon & Spa; Miami
Case No. 2007-010798
\$500 fine and \$38.11 costs
- Filiberto Alvarez; Clearwater
Case No. 2008-043485
\$500 fine and \$72.70 costs
- KM Nail Spa and Dung Le; Okeechobee
Case Nos. 2008-013014 and 2008-013022
\$1,500 fine and \$278.85 costs
- Martha Bradford; Mulberry
Case No. 2008-061725
\$1,000 fine and \$54.76 costs
- Miriam Roudales; Miami
Case No. 2008-056457
\$500 fine and \$35.57 costs
- Nail Care, Inc.; Palm Beach Gardens
Case No. 2008-025472
\$500 fine and \$146.72 costs
- Nail Studio; Sebring
Case No. 2007-043230
\$1,500 fine and \$147.78 costs
- Pink and White Nails and Duong Thi Nguyen; Riverview
Case Nos. 2008-052218 and 2008-058569
\$500 fine and \$431.11 costs
- Q-Luu Nails and Cam-Tu Thi Nguyen; Valrico
Case Nos. 2005-055244 and 2008-063480
\$500 fine and \$368.48 costs
- Sandy Tran and Niki Nails; Brooksville
Case Nos. 2008-043054 and 2008-049705
\$500 fine and \$210.22 costs
- Simone Nascimento; Port St. Lucie
Case No. 2008-029292
\$500 fine and \$96.56 costs
- Theresa Washington; Quincy
Case No. 2008-020464
\$500 fine and \$113.28 costs

- Tresharie Robinson; Lauderdale
Case No. 2007-064868
\$500 fine and \$84.81 costs

Settlement Stipulations

Regarding Case No. 2005-050169 against Angel Nail & Spa of Port St. Lucie, Ms. Parson presented the department's case and suggested assessing a fine of \$750 and costs of \$125.55. The Respondent was not present for the meeting. Vice Chair Fincel moved that the board reject the Stipulation of the parties. Ms. Osborne seconded the motion. The motion passed unanimously. Vice Chair 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 \$750 and costs of \$125.55. 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. 2009-009755 against The Hair Place of Freeport, Ms. Parson presented the department's case and suggested assessing a fine of \$250 and costs of \$173.37. It was noted that the fine and costs have been paid in full. Ms. Michelle Croxton was present for the meeting. Ms. Osborne 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. 2008-064288 against Happy Nails of Clearwater, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$116.30. Ms. Rachel Fang 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 Nos. 2008-058097 and 2008-063491 against Wonder Nails and Darian Tam Nguyen of Palm Harbor, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$289.31. Mr. Darian Tam Nguyen 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.

Regarding Case Nos. 2008-048835 and 2008-053917 against Perfect Nails and Tony Tran of Lakeland, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$117.40. Mr. Tony Tran 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.

Regarding Case Nos. 2008-058581 and 2008-053588 against Lam Thanh Pham and Cosmo Nail Spa of Spring Hill, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$427.82. Lam Thanh Pham 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. Osborne seconded the motion, and the motion passed unanimously.

Regarding Case No. 2006-025872 against Isabel Medina-Mas of Tampa, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$424.23 plus license revocation. The Respondent was not present for the meeting. Ms. Osborne 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 \$424.23 plus license revocation based on the facts presented. Ms. Smith seconded the motion, and the motion passed unanimously.

Regarding Case No. 2008-017275 against Silvia Lopez-Trujilo of Palmetto, Ms. Parson presented the department's case and suggested assessing a fine of \$500 and costs of \$121.96. Ms. Osborne 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.

Regarding Case Nos. 2008-029405 and 2008-029411 against Teresa Sorenson-Aguilar and Teresa's Shear Designs of Okeechobee, Ms. Parson presented the department's case and suggested assessing a fine of \$1,000 and costs of \$246.28. 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. Vice Chair Fincel 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:

- A-Nails; Arcadia
Case No. 2009-011853
\$250 fine and \$228.14 costs
- Ban Thi Tran; Jacksonville
Case No. 2008-041090
\$500 fine and \$232.07 costs
- Cali Nails and Anh T. Nguyen; Palmetto
Case Nos. 2008-053734 and 2008-060710
\$500 fine and \$303.19 costs
- Coco's Day Spa & Salon; Fort Lauderdale
Case No. 2008-056185
\$500 fine and \$33.44 costs
- Elegant Nails & Spa and My Khanh Nguyen; Port Richey
Case Nos. 2008-053465 and 2008-058605
\$500 fine and \$420.72 costs

- Theresa McCollum and Elegance Day Spa; West Palm Beach
Case Nos. 2007-013128 and 2008-011027
\$2,000 fine and \$208.61 costs
- Fantastic Nails; Tallahassee
Case No. 2008-046228
\$500 fine and \$126.01 costs
- Sang Thanh Nguyen and Labelle Nails & Spa; Spring Hill
Case Nos. 2008-058586 and 2008-053591
\$500 fine and \$315.71 costs
- Lela Nails and Que Anh Thi Roop; Spring Hill
Case Nos. 2008-053597 and 2008-058589
\$500 fine and \$411.39 costs
- Regal Nails; Poinciana
Case No. 2008-029309
\$500 fine and \$333.38 costs
- Nam Hoai Nguyen and Signal Nails
Case Nos. 2008-001621 and 2008-058773
\$500 fine and \$272.36 costs
- Vinh Quang Luu and Happy Nails; Orange Park
Case Nos. 2008-047167 and 2008-036427
\$500 fine and \$297.79 costs
- Dana's Family Haircuts; Belleview
Case No. 2008-058771
\$500 fine and \$131.02 costs
- Royal Nails and Kinh Duc Le; Clearwater
Case Nos. 2008-056217 and 2009-000660
\$500 fine and \$326.10 costs
- US Nails II and My Xuyen Ho Pham; Clermont
Case Nos. 2008-063466 and 2009-001613
\$500 fine and \$335.19 costs

Department Attorney Report

Ms. Parson informed the board that as of July 14, 2009, there were 364 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

Request for Informal Hearing

- Denise Lynn Mock
Ms. Robyn Barineau, Executive Director, noted that the initial registration application for Ms. Mock was denied at the April 27, 2009, board meeting since the application documents provided did not demonstrate that sanctions were satisfied for the background information reflected. Ms. Mock requested an informal hearing, however, she was not present for the meeting. Additional documents were provided showing that sanctions were satisfied. Ms. Osborne moved that the board approve the application based on the documentation presented. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

- Alicia D. Gaines
Ms. Barineau noted that the initial licensure application for Ms. Gaines was forwarded for board review based on the background information reflected on the application. Ms. Gaines 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. Vice Chair Fincel seconded the motion. The motion passed unanimously.

- Annette N. Parrish
Ms. Barineau noted that the initial licensure application for Ms. Parrish was forwarded for board review based on the background information reflected on the application. Ms. Parrish was present for the meeting and was sworn in by the Court Reporter. After review and discussion of the application, Ms. Ritenbaugh moved to approve the application based on the documents provided. Ms. Osborne seconded the motion. The motion passed unanimously.

- Calanna L. Floyd
Ms. Barineau noted that the initial licensure application for Ms. Floyd was forwarded for board review based on the background information reflected on the application. Ms. Floyd was present for the meeting along with Mr. Richard Washington. Ms. Floyd and Mr. Washington were sworn in by the Court Reporter. After review and discussion of the application, Ms. Osborne moved to approve the application based on the documents and testimony provided. Ms. Smith seconded the motion. The motion passed unanimously.

- Charles J. Smith
Ms. Barineau noted that the initial application for Mr. Smith was forwarded for board review based on the background information reflected on the application. Mr. Smith was not present for the meeting. After review and discussion of the application, Ms. Osborne moved to approve the application based on the documents provided. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

- Delores G. Kersey
Ms. Barineau noted that the initial application for Ms. Kersey was forwarded for board review based on the background information reflected on the application.

Ms. Kersey was not present for the meeting. After review and discussion of the application, Vice Chair Fincel moved to approve the application based on the documents provided. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

- Don E. McIntosh

Ms. Barineau noted that the initial application for Mr. McIntosh was forwarded for board review based on the background information reflected on the application. Mr. McIntosh was not present for the meeting. After review and discussion of the application, Vice Chair Fincel moved to approve the application based on the documents provided. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

- Elaine D. Jasper

Ms. Barineau noted that the initial application for Ms. Jasper was forwarded for board review based on the background information reflected on the application. Ms. Jasper 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. Vice Chair Fincel seconded the motion. The motion passed unanimously.

- Evelyn Figueroa

Ms. Barineau noted that the initial application for Ms. Figueroa was forwarded for board review based on the background information reflected on the application. Ms. Figueroa was not present for the meeting. After review and discussion of the application, Vice Chair Fincel moved to approve the application based on the documents provided. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

- Gisele Cesar

Ms. Barineau noted that the initial application for Ms. Cesar was forwarded for board review based on the background information reflected on the application. Ms. Cesar 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. Vice Chair Fincel seconded the motion. The motion passed unanimously.

- Kimberly Montgomery

Ms. Barineau noted that the initial application for Ms. Montgomery was forwarded for board review based on the background information reflected on the application. Ms. Montgomery was not present for the meeting. After review and discussion of the application, Ms. Ritenbaugh moved to deny the application since the application documents provided did not demonstrate that criminal sanctions were satisfied. Vice Chair Fincel seconded the motion. The motion passed unanimously.

- Leelah Donelson

Ms. Barineau noted that the initial application for Ms. Donelson was forwarded for board review based on the background information reflected on the application. Ms. Donelson was present for the meeting along with Mr. Phil Patterson. Ms. Donelson and Mr. Patterson were sworn in by the Court Reporter. After review and discussion of the application, Ms. Ritenbaugh moved to approve the application based on the documents and testimony provided. Ms. Osborne

seconded the motion. The motion passed unanimously.

- Lindsey R. McManus

Ms. Barineau noted that the initial application for Ms. McManus was forwarded for board review based on the background information reflected on the application. Ms. McManus was present for the meeting and was sworn in by the Court Reporter. After review and discussion of the application, Ms. Osborne moved to approve the application based on the documents provided. Vice Chair Fincel seconded the motion. The motion passed unanimously.

- Melissa Sawyer

Ms. Barineau noted that the initial application for Ms. Sawyer was forwarded for board review based on the background information reflected on the application. Ms. Sawyer was present for the meeting along with Ms. Pat Martin of Bene's International Academy. Ms. Sawyer and Ms. Martin were sworn in by the Court Reporter. After review and discussion of the application, Ms. Ritenbaugh moved to approve the application based on the documents and testimony provided. Ms. Osborne seconded the motion. The motion passed unanimously.

- Melvin M. Mitchell

Ms. Barineau noted that the initial application for Mr. Mitchell was forwarded for board review based on the background information reflected on the application. Mr. Mitchell 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. Osborne seconded the motion. The motion passed unanimously.

- Murchison R. Wilson

Ms. Barineau noted that the initial application for Mr. Wilson was forwarded for board review based on the background information reflected on the application. Mr. Wilson 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. Osborne seconded the motion. The motion passed unanimously.

- Patricia Atkins

Ms. Barineau noted that the initial application for Ms. Atkins was forwarded for board review based on the background information reflected on the application. Ms. Atkins was not present for the meeting. After review and discussion of the application, Ms. Ritenbaugh moved to deny the application based on the indication that the records are sealed, however, there is no evidence supporting the claim or showing that all sanctions are satisfied. Vice Chair Fincel seconded the motion. The motion passed unanimously.

- Melvin M. Mitchell

Ms. Barineau noted that the initial application for Mr. Mitchell was forwarded for board review based on the background information reflected on the application. Mr. Mitchell 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. Osborne seconded the motion. The motion passed unanimously.

- Rhonda D. Harman
 Ms. Barineau noted that the initial application for Ms. Harman was forwarded for board review based on the background information reflected on the application. Ms. Harman along with Ms. Pamela Spiker were present for the meeting. Ms. Harman and Ms. Spiker were sworn in by the Court Reporter. After review and discussion of the application, Ms. Smith moved to approve the application based on the documents and testimony provided. Vice Chair Fincel seconded the motion. Ms. Osborne and Ms. Ritenbaugh opposed the motion.
- Shameka Bush
 Ms. Barineau noted that the initial application for Ms. Bush was forwarded for board review based on the background information reflected on the application. Ms. Bush was not present for the meeting. After review and discussion of the application, Vice Chair Fincel moved to deny the application since the application documents provided did not demonstrate that criminal sanctions were satisfied. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.
- Steven C. Eagan
 Ms. Barineau noted that the initial application for Mr. Eagan was forwarded for board review based on the background information reflected on the application. Mr. Eagan was not present for the meeting. After review and discussion of the application, Vice Chair Fincel moved to deny the application since the application documents provided did not demonstrate that criminal sanctions were satisfied. Ms. Osborne seconded the motion. Ms. Ritenbaugh opposed the motion.
- Tasha Abercrombie
 Ms. Barineau noted that the initial application for Ms. Abercrombie was forwarded for board review based on the background information reflected on the application. Ms. Abercrombie was not present for the meeting. After review and discussion of the application, Vice Chair Fincel moved to deny the application since the application documents provided did not demonstrate that criminal sanctions were satisfied. Ms. Smith seconded the motion. The motion passed unanimously.
- Terica Charles
 Ms. Barineau noted that the initial application for Ms. Charles was forwarded for board review based on the background information reflected on the application. Ms. Charles was not present for the meeting. After review and discussion of the application, Ms. Ritenbaugh moved to deny the application since the application documents provided did not demonstrate that criminal sanctions were satisfied. Ms. Smith seconded the motion. The motion passed unanimously.
- Tiffany L. Maxwell
 Ms. Barineau noted that the initial application for Ms. Maxwell was forwarded for board review based on the background information reflected on the application. Ms. Maxwell was not present for the meeting. After review and discussion of the application, Ms. Ritenbaugh moved to deny the application since the application documents provided did not demonstrate that criminal sanctions were satisfied. Ms. Osborne seconded the motion. The motion passed unanimously.
- Yamilee Bennett
 Ms. Barineau noted that the initial application for Ms. Bennett was forwarded for board review based on the background information reflected on the application.

Ms. Bennett 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. Osborne seconded the motion. The motion passed unanimously.

- Monika Stanus

- Lauretta Sabga

Ms. Barineau informed the board that Ms. Leticia Velasquez, Director of Education for Boca Beauty Academy, on behalf of Ms. Stanus and Ms. Sabga, submitted a request asking the board to grant licensure by endorsement based on years of experience and training received in Canada. Vice Chair Fincel moved that the board deny the request since Ms. Stanus and Ms. Sabga do not meet the qualifications of endorsement as required by Rule 61G5-18.007, F.A.C. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Applications for Hair Braiding Courses

Request for Informal Hearing

- Orlando Beauty Institute

Ms. Barineau noted that the hair braiding course application from Orlando Beauty Institute was denied at the April 27, 2009, board meeting based on incorrect references to ultra violet light. Orlando Beauty Institute submitted an informal hearing request along with corrected course application material. After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Initial Review

- Andrea's Hair Braiding Certification

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

- Atlanta Hair Styles

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

- Johnson and Black Natural Hair Education

Ms. Takana Johnson and Ms. Antoinette Black were present for the meeting. After review and discussion of the course application, Mr. Ritenbaugh moved to approve the application with the contingency of correcting the reference to hair wrapping in the course objective. Ms. Smith seconded the motion. The motion passed unanimously.

- Lorraine's Academy

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

- Mattie J. Williams
After review and discussion of the course application, Ms. Osborne moved to deny the application based on incorrect reference to sanitation practices and procedures. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Applications for Hair Wrapping Courses

- Johnson and Black Natural Hair Education
Ms. Johnson and Ms. Black were present for the meeting. After review and discussion of the course application, Mr. Smith moved to approve the application with the contingency of correcting the incorrect references to alcohol and phenol. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.
- Lorraine's Academy
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Osborne seconded the motion, and the motion passed unanimously.
- Mattie J. Williams
After review and discussion of the course application, Ms. Ritenbaugh moved to deny the application based on incorrect references to formalin, hair treatments and treatment prescriptions. Vice Chair Fincel seconded the motion. The motion passed unanimously.
- Natural Braider Empire
After review and discussion of the course application, Ms. Ritenbaugh moved to deny the application based on the incorrect information of the supervised practice exception in accordance with Chapter 61G5, Florida Administrative Code. Vice Chair Fincel seconded the motion. The motion passed unanimously.

Applications for Body Wrapping Courses

Request for Informal Hearing

- Esthetics and Laser Specialty
Ms. Barineau noted that the body wrapping course application was denied at the April 27, 2009, board meeting based on incorrect references to sanitation and sterilization procedures. Esthetics and Laser Specialty submitted an informal hearing request along with corrected course material. After review and discussion of the corrected material, Vice Chair Fincel moved to approve the application. Ms. Smith seconded the motion, and the motion passed unanimously.

Initial Review

- JCM Spa Wraps Boutique
After review and discussion of the course application, Ms. Ritenbaugh moved to deny the application based on the incorrect references to alcohol and phenol, ultra violet cabinet as sanitation method, massage therapy, weight loss, anti-cellulite wraps, and brand name endorsements. Ms. Osborne seconded the motion, and the motion passed unanimously.

- Keiser College
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Osborne seconded the motion. The motion passed unanimously.
- Loraine's Academy
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Vice Chair Fincel seconded the motion. The motion passed unanimously.
- Medical and Aesthetic Institute, Dr. Carlos J. Finlay
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application with the contingency of correcting the misspelled words and deleting the incorrect reference to massage. Vice Chair Fincel seconded the motion. The motion passed unanimously.
- Graham Moore Enterprise
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Ms. Osborne seconded the motion. The motion passed unanimously.

Initial HIV/AIDS Courses

Request for Informal Hearing

- EDJ School Online
Ms. Barineau noted that the body wrapping course application was denied at the April 27, 2009, board meeting 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. EDJ School Online submitted an informal hearing request along with corrected course material. After review and discussion of the corrected material, Vice Chair Fincel moved to approve the application. Ms. Smith seconded the motion, and the motion passed unanimously.
- COE ContinuingEducation.com
After review and discussion of the course application, Ms. Ritenbaugh moved to approve the application. Vice Chair Fincel seconded the motion. The motion passed unanimously.

Continuing Education Provider and Course Applications

- Academy of Palm Beach
Provider Application
After review and discussion of the provider application, Vice Chair Fincel moved to approve the application. Ms. Smith seconded the motion. The motion passed unanimously.

Course Application

Hair Extensions – 6 Hours Live Group Study

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

- Academy of Palm Beach
Course Application
Advanced Haircutting – 12 Hours Live Group Study
 After review and discussion of the course application, Vice Chair Fincel moved to approve the application. Ms. Ritenbaugh seconded the motion, and the motion passed unanimously.
- Academy of Palm Beach
Course Application
Permanent Makeup – 50 Hours Live Group Study and Home Study
 After review and discussion of the course application, Ms. Smith moved to deny the application since the performance of permanent makeup is beyond the scope of practice for cosmetology licensees. Ms. Osborne seconded the motion, and the motion passed unanimously.
- Academy of Palm Beach
Course Application
Makeup Artistry – 16 Hours Live Group Study
 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.
- Academy of Palm Beach
Course Application
Airbrush Makeup – 16 Hours Live Group Study
 After review and discussion of the course application, Ms. Osborne moved to approve the application. Ms. Ritenbaugh seconded the motion, and the motion passed unanimously.
- Academy of Palm Beach
Course Application
Eyelash Extensions – 16 Hours Live Group Study
 After review and discussion of the course application, Vice Chair Fincel moved to approve the application. Ms. Osborne seconded the motion, and the motion passed unanimously.
- Academy of Palm Beach
Course Application
Advanced Nails – 16 Hours Live Group Study
 After review and discussion of the course application, Vice Chair Fincel moved to approve the application with the contingency of including a reference to the pedicure footbath sanitation procedures and display of the consumer protection notice. Ms. Osborne seconded the motion, and the motion passed unanimously.
- Academy of Palm Beach
Course Application
Chemical Peels – 8 Hours Live Group Study
 After review and discussion of the course application, Ms. Smith moved to deny the application since the course summary and objective did not provide enough information ensuring that the course is within the scope of practice for cosmetology licensees, and no dates were included on the resource references. Vice Chair Fincel seconded the motion. The motion passed unanimously.

- Academy of Palm Beach
Course Application
Microdermabrasion – 8 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.
- Caridad X. Zamora
Course Renewal Application
Complete Continuing Education of Cosmetology – 16 Hours Home Study/Video
 After review and discussion of the course application, Ms. Osborne moved to deny the application based on the incorrect reference to ultra violet sanitation practices, the reference to Kentucky cosmetology laws and rules, the reference to Florida barbering laws, and the outdated resource references. Ms. Smith seconded the motion. The motion passed unanimously.
- Lorraine's Academy
Course Application
HIV/AIDS 101 Course – 2 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.
- Mattie J. Williams
Provider Application
Course Application
Continuing Education Course – 16 Hours Live Group Study, Cosmetology Conference/Trade Show, Home Study/Video and Internet
 After review and discussion of the course application, Ms. Smith moved to approve the provider application. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

After review and discussion of the course application, Ms. Smith moved to deny the application based on the incorrect reference to alcohol and phenol, incorrect language for the supervised practice exception and that the material is similar in appearance to a competitor's continuing education course. Ms. Ritenbaugh seconded the motion, and the motion passed unanimously
- Monique Cosmetique
Provider Application
Course Application
Advanced Nail Technician Program – 10 Hours Internet
 After review and discussion of the provider application, Ms. Osborne moved to approve the application. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

After review and discussion of the course application, Ms. Smith moved to approve the application with the contingency of deleting the reference to suction modality and re-wording the incorrect reference to skin condition treatments. Ms. Osborne seconded the motion, and the motion passed unanimously.

- Edenix International
Course Application
LED Photo Rejuvenating Light Therapy – 8 Hours Live Group Study
 After review and discussion of the application, Ms. Smith moved to approve the application. Ms. Ritenbaugh seconded the motion. The motion passed unanimously

- Skinceuticals, Inc.
Course Application
Advanced Esthetic Training – 5 Hours Live Group Study
 After review and discussion of the course application, Ms. Smith moved to deny the application since the material appears to be product driven and since the material is not in accordance to the requirements of Rule 61G5-32.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion, and the motion passed unanimously.

 After review and discussion of the provider application, Vice Chair Fincel moved to deny the application since the provider did not meet the requirements of Rule 61G5-32.001, Florida Administrative Code. Ms. Smith seconded the motion. The motion passed unanimously.

- Tammy Taylor Nails
Course Application
Tammy Taylor 6/8 Hour Hands on Workshop – 8 Hours Live Group Study
 After review and discussion of the course application, Ms. Smith moved to deny the application since the material appears to be product driven. Vice Chair Fincel seconded the motion. The motion passed unanimously.

- Informed
Course Application
2009 Informed Cosmetology Update – 16 Hours Internet
 After review and discussion of the course application, Ms. Osborne moved to deny the application based on the references to alcohol and phenol as disinfectants, brand name and trademark references and the material did not include the pedicure footbath sanitation procedures in accordance to Rule 61G5-20-002, Florida Administrative Code. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Committee Reports

Continuing Education Committee – Ginny Fincel, Chair

Vice Chair 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

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

The board discussed the letter submitted by Glow Skin Care, Inc., regarding fish pedicure operation, sterilization, sanitation and maintenance procedures and again agreed that this practice should not be allowed in Florida cosmetology salons as there is no allowance for animals in a salon nor are the fish kept in a closed aquarium and there does not appear to be any way to properly sanitize or disinfect the unit holding the fish or the fish in between patrons.

New Business

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

The board discussed Rule 61G5-32.001, Florida Administrative Code – Continuing Education, and agreed that publication dates for reference materials should be included in the rule. Ms. Osborne moved to have Ms. Lisa Comingore, Assistant Attorney General, proceed with development of this rule. Ms. Smith seconded the motion, and the motion passed unanimously. Ms. Comingore will provide a draft of the rule language for review and discussion at the next meeting.

Other Business

Executive Director's Report

National-Interstate Council of State Board of Cosmetology, Inc. (NIC) Newsletter Volume 65 No. 2 April/May 2009

Ms. Barineau informed the board that the NIC newsletter was included for informational purposes.

Unlicensed Activity Media Campaign 2008-2009

Ms. Barineau informed the board of the current unlicensed activity campaign material was included for informational purposes.

MMA Fact Sheet Flyer

Ms. Barineau informed the board that the MMA fact sheet flyer will be distributed to cosmetology salons by the inspectors and will be posted to the Web page.

Removal of Mailing Addresses on Licenses

Ms. Barineau noted that due to various safety concerns, the department sought the board's approval to remove the mailing address from personal licenses which are posted for public view. Ms. Osborne moved that the board approve the removal of the licensee addresses from personal licenses. Ms. Ritenbaugh the motion. The motion passed unanimously.

2010 Legislative Input

Ms. Barineau mentioned the letter from Secretary Drago mailed to Chair Jowers regarding 2010 Accelerate Florida legislative initiatives and asked the board for their input by August 1.

Criminal Offense Guidelines

The board approved a list of criminal offenses which can be approved by the department and do not require review of an application by the board.

Board Attorney's Report

Rules 61G5-18.0055, Florida Administrative Code – Supervised Practice Exception

Ms. Comingore presented the board with the following draft language of the supervised practice exception:

“Following the completion of the **first** licensing examination by a graduate of licensed cosmetology school or cosmetology program offered in a public school system, which school or program is certified by the Department of Education, an applicant for licensure as a cosmetologist by examination is eligible to practice temporarily in a current, actively licensed cosmetology salon under the following conditions:

- (1) In the event an applicant obtains passing scores on ~~the first attempt of~~ both the written and clinical examinations, the applicant shall be eligible, prior to having their application acted on by the Board, to practice cosmetology in a licensed salon, provided that they post their examination results for both examinations at their work station with a recent photograph affixed thereto.
- (2) An applicant who fails any part of the examination may not practice as a cosmetologist and may immediately apply for reexamination.”

Ms. Smith moved that the board accept the language as presented and asked that Ms. Comingore move forward with rule development procedures. Ms. Ritenbaugh seconded the motion. The motion passed unanimously.

Hair Wrapping Clarification

The board agreed that the term “manufactured materials” should be defined not to include synthetic hair in the practice of hair wrapping. Chair Jowers asked that Ms. Comingore move forward with development of a rule to define “manufactured materials” in the practice of hair wrapping. Ms. Ritenbaugh seconded the motion, and the motion passed unanimously.

Regulation Report

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

Bureau of Education and Testing

Cosmetology Examination Summary January – May 2009

Ms. Barineau noted that the cosmetology examination summary was included for informational purposes.

Board Member Comments

There were no further comments.

Chairperson Comments

Florida's Bid for 2011 NIC Conference

Chair Jowers mentioned that the board will be submitting a bid to host the 2011 National Interstate Council of State Boards of Cosmetology (NIC) conference in Florida.

Public Comments

There were no further comments.

Dates and Locations for Future Meetings

Monday, October 12, 2009 - Tampa
Monday, January 25, 2010 – Orlando
Monday, April 26, 2010 – St. Augustine

Adjournment

There being no further business, the meeting was adjourned at 6:25 p.m.