

# MINUTES

FLORIDA BOARD OF COSMETOLOGY  
FLORIDAYS RESORT  
12562 INTERNATIONAL DRIVE  
ORLANDO, FLORIDA 32821

Monday, July 13, 2015 – 9:00 a.m.

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

## **Board Members Present**

Ginny Fincel, Chair  
Laurel Ritenbaugh, Vice Chair  
Adrienne Harvey  
Robin Tabano  
Fran Poppell

## **Board Members Absent**

## **Other Persons Present**

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Doug Dolan, Assistant Attorney General, Office of the Attorney General  
John Cary, Chief Attorney, Office of the General Counsel, DBPR  
Ramsey Revell, Assistant General Counsel, Office of the General Counsel, DBPR  
Julie Rowland, Government Analyst, DBPR  
Holly Kapacinskas, Court Reporter  
Ternika Williams-Sharpe  
Vilma Martinez  
James Pillow  
Eva Price  
Wanda Bouldin  
Latasha Witte  
Bonnie Pool

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

## **DISCIPLINARY MATTERS**

### **Informal Hearing**

Ms. Ramsey Revell, Assistant General Counsel, presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, that there was competent and substantial evidence to support the allegations as set forth in the Administrative Complaint and adopts them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

- Eugene Lucherini; Delray Beach  
Ms. Revell requested that this case be pulled from the agenda
- Norma Jean Johnson; Bradenton  
Case No. 2014044586  
\$500 fine and \$26.59 costs to be paid within six months
- Alfredo Diaz; Lake Mary

Case No. 2014035507

Ms. Revell requested that this case be pulled from the agenda

- Duncan Smith; Madison  
Case No. 2014045885  
\$500 fine and \$13.55 costs to be paid within six months  
Revocation of license CL187654
- Thuy Tran; Palm Beach Gardens  
Case No. 2014033050  
\$500 fine and \$225.57 costs to be paid within six months  
Revocation of license FV9581069
- Suong's Nails & Spa 60 and Suong Bedford; Vero Beach  
Case Nos. 2014034676 & 2014036744  
\$500 fine and \$255.45 costs to be paid within six months
- Nails Ave; Tampa  
Case No. 2014053111  
\$600 fine and \$118.06 costs to be paid within six months
- Million Nails and Spa; Jacksonville  
Case No. 2014045007  
\$500 fine and \$160.73 costs to be paid within six months
- T&Y Nails and Thanh Nguyen; Jensen Beach  
Case Nos. 2014046781 & 2014049383  
\$1,550 fine and \$279.79 costs to be paid within six months
- Nail Boutique; West Palm Beach  
Case No. 2014044841  
\$500 fine and \$128.17 costs to be paid within six months
- US Nails; Palm Beach Gardens  
Case No. 2014033066  
\$500 fine and \$160.23 costs to be paid within six months
- Solar Nails and Spa and Hung Van Phan; Jacksonville  
Case Nos. 2015001948 & 2015006372  
\$500 fine and \$323.78 costs to be paid within six months
- Zenia Taylor; Jacksonville  
Case No. 2014045712  
\$500 fine and \$196.44 costs to be paid within six months
- Rory Ashmore; Lakeland  
Case No. 2014035889  
Ms. Revell requested that this case be pulled from the agenda
- Lovely Nails and Luong Nguyen; Keystone Heights  
Case Nos. 2015001075 & 2015004617  
\$500 fine and \$244.84 costs to be paid within six months
- Images By Ellen; Hampton  
Case No. 2015001153

Ms. Revell requested that this case be pulled from the agenda

- Nail Extreme & Tan and Ly Thi Tran; Brandon  
Case Nos. 2014048307 & 2014048300  
\$500 fine and \$196.14 costs to be paid within six months

### **Motion for Waiver of Rights and Final Order**

Ms. Revell 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:

- Ana Calderon; Apopka  
Case No. 2014022550  
\$500 fine and \$166.11 costs to be paid within six months
- Regal Nails and Vinh Van Nguyen; Lake Park  
Case Nos. 2014026308 & 2014030370  
Ms. Revell requested that this case be pulled from the agenda
- Ternika Williams-Sharpe; Ft. Lauderdale  
Case No. 2014031816  
The Board referred the case to the Division of Administrative Hearings as a formal hearing
- Laquita Powell; Crestview  
Case No. 2014039025  
\$500 fine and \$62.02 costs to be paid within six months
- Thai Thanh Mai; Cape Coral  
Case No. 2014044868  
\$500 fine and \$114.12 costs to be paid within six months
- J Turner Salon; Royal Palm Beach  
Case No. 2014044650  
\$500 fine and \$40.14 costs to be paid within six months
- Liviany Caez; Orlando  
Case No. 2014031621  
Ms. Revell requested that this case be pulled from the agenda
- Pauline Nix; St. Petersburg  
Case No. 2014044861  
\$500 fine and \$40.14 costs to be paid within six months
- Eduardo Martinez; West Palm Beach  
Case No. 2014045001  
\$500 fine and \$32.50 costs to be paid within six months
- Yisel Pedraza; Miami  
Case No. 2014044975  
\$500 fine and \$123.27 costs to be paid within six months
- Tamara Vogan; Pensacola  
Case No. 2014050284  
\$500 fine and \$25.94 costs to be paid within six months

- Condesa Gym Dance Theater of Miami; Miami Beach  
Case No. 2014047933  
\$1,000 fine and \$33.00 costs to be paid within six months
- Zuny's Beauty Salon II; Miami  
Case No. 2014038140  
\$750 fine and \$42.07 costs to be paid within six months  
Re-inspection within 30 days
- Melissa Masi; Miami Beach  
Case No. 2014050248  
\$500 fine and \$36.10 costs to be paid within six months
- Cali Pronail and Minh Thanh Tran; Jensen Beach  
Case Nos. 2014035017 & 2014037794  
\$500 fine and \$255.45 costs to be paid within six months
- Shayla Hillsman; Sanford  
Case No. 2014050278  
\$500 fine and \$23.71 costs to be paid within six months
- Destiny Meri De La Paz; Orlando  
Case No. 2014050282  
\$500 fine and \$33.97 costs to be paid within six months
- Sherry Williams; Miami  
Case No. 2014050243  
\$500 fine and \$46.04 costs to be paid within six months
- Diamond Diva Nail Lounge; Miami Gardens  
Case No. 2014045004  
\$500 fine and \$156.05 costs to be paid within six months
- Ana Rodriguez; Miami  
Case No. 2014050380  
\$500 fine and \$142.33 costs to be paid within six months
- Juan De Jesus; Orlando  
Case No. 2014044867  
\$500 fine and \$57.58 costs to be paid within six months
- Oxygenix Salon and Spa and Vu Nguyen; West Palm Beach  
Case Nos. 2014043254 & 2014043250  
\$1,050 fine and \$320.45 costs to be paid within six months  
15 days suspension against license FV563411 and re-inspection within 30 days
- Claudia Silva; Kissimmee  
Case No. 2014038915  
\$500 fine and \$432.29 costs to be paid within six months  
Revocation of license CL1210755
- Skin Wizard; Miami  
Case No. 2015001670  
\$1,150 fine and \$39.67 costs to be paid within six months

- Splitenz Hair and Nail Studio; Orlando  
Case No. 2015001967  
\$500 fine and \$270.72 costs to be paid within six months

**Settlement Stipulation**

Ms. Revell presented the following cases for consideration by the Board. The Board moved to adopt the Stipulation of the parties as the Board's final action in this matter and incorporate it and all of its terms into a final order and imposed the penalties shown below:

- Charity Moseley; Pensacola  
Case No. 2014033865  
\$500 fine and \$23.71 costs to be paid within six months
- Rose Nails & Spa and Trong Van Tran; Live Oak  
Case Nos. 2014029802 & 2014031462  
\$500 fine and \$670.26 costs to be paid within six months
- Happy Nail & Spa; Palm Harbor  
Case No. 2014047129  
\$100 fine and \$118.06 costs to be paid within six months
- Angela Mowry; Trinity  
Case No. 2014050399  
\$500 fine and \$156.38 costs to be paid within six months
- Badar's Hair N' All Beauty Salon; Tampa  
Case No. 2014038779  
\$1,000 fine and \$156.38 costs to be paid within six months
- Tuan Manh Pham; Jacksonville  
Case No. 2014041817  
\$500 fine and \$263.06 costs to be paid within six months
- Five Star Nails; Miami  
Case No. 2014049096  
\$250 fine and \$41.21 costs to be paid within six months
- Zandi Unlimited and Folia Harrell; West Palm Beach  
Case Nos. 2014049223 & 2014049373  
\$950 fine and \$173.78 costs to be paid within six months
- The Honeydew Nail Spa and Hong Luu; Port St. Lucie  
Case Nos. 2014048935 & 2014051359  
\$500 fine and \$263.45 costs to be paid within six months

**Department Attorney Report**

Ms. Revell informed the Board that as of July 10, 2015, there were 153 open cosmetology cases in the legal section.

**Hair Braiding Courses**

**Initial Review**

**Hairmony Salon & Mini Spa – Classroom**

After review, Vice Chair Laurel Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, and incorrect disinfection procedures. Ms. Robin Tabano seconded the motion and the motion passed unanimously.

#### Hairmony Salon & Mini Spa – Internet

After review, Vice Chair Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, and incorrect disinfection procedures. Ms. Adrienne Harvey seconded the motion and the motion passed unanimously.

#### T'lisa Stackhouse – Classroom

After review, Vice Chair Ritenbaugh moved to deny the course based on outdated references, and inappropriate language. Ms. Harvey seconded the motion and the motion passed unanimously.

### **Hair Wrapping Courses**

#### **Initial Review**

#### T'lisa Stackhouse – Classroom

After review, Vice Chair Ritenbaugh moved to deny the course based on outdated references, and inappropriate language. Ms. Harvey seconded the motion and the motion passed unanimously.

### **Body Wrapping Courses**

#### **Initial Review**

#### T'lisa Stackhouse – Classroom

After review, Vice Chair Ritenbaugh moved to deny the course based on outdated references, and inappropriate language. Ms. Harvey seconded the motion and the motion passed unanimously.

### **Continuing Education Courses**

#### **Initial Review**

#### Stay Current – Continuing Education 16 Hour Internet

After review, Vice Chair Ritenbaugh moved to deny the course based on outdated references, incorrect disinfection procedures, grammatical errors, and incorrect information. Ms. Harvey seconded the motion and the motion passed unanimously.

#### Florida Cosmetology Educators Online – Continuing Education 16 Hour Correspondence

Ms. Eva Price was present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the course. Ms. Tabano seconded the motion and the motion passed unanimously.

#### ContinuingCosmetology.com – Online Continuing Education Course 16 Hour Internet

After review, Vice Chair Ritenbaugh moved to approve the course with the following contingency: strike “brazilian blowout” and replace with “keratin treatment”. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Harvey seconded the motion and the motion passed unanimously.

#### Florida Cosmetology Educators Online – Continuing Education Program 16 Hour Internet

Ms. Price was present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the course. Ms. Tabano seconded the motion and the motion passed unanimously.

#### Florida Cosmetology Educators Online – Continuing Education Program 16 Hour Correspondence

Ms. Price was present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the course. Ms. Tabano seconded the motion and the motion passed unanimously.

Monique Cosmetique – Environmental Issues 1 Hour Internet

Ms. Latasha Witte was present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the course. Ms. Harvey seconded the motion and the motion passed unanimously.

Monique Cosmetique – Chemical Makeup 2 Hour Internet

Ms. Witte was present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the course. Ms. Harvey seconded the motion and the motion passed unanimously.

Monique Cosmetique – Cosmetology Laws & Rules 2 Hour Internet

Ms. Witte was present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the course. Ms. Tabano seconded the motion and the motion passed unanimously.

Monique Cosmetique – Worker’s Compensation Issues 1 Hour Internet

After review, Ms. Tabano moved to approve the course. Ms. Fran Poppell seconded the motion and the motion passed unanimously.

Monique Cosmetique – OSHA 1 Hour Internet

Ms. Witte was present for the meeting. After review, Ms. Tabano moved to approve the course. Ms. Poppell seconded the motion and the motion passed unanimously.

Monique Cosmetique – Sanitation & Sterilization in Salon/Spa 3 Hour Internet

Ms. Witte was present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the course with the following contingency: strike reference to phenols. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Harvey seconded the motion and the motion passed unanimously.

Monique Cosmetique – HIV/AIDS Course 2 Hour Internet

Ms. Witte was present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the course. Ms. Tabano seconded the motion and the motion passed unanimously.

Monique Cosmetique – CE for the Esthetician, Cosmetologist & Nail Tech 12 Hour Internet

Ms. Witte was present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the course with the following contingency: strike reference to phenols. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Harvey seconded the motion and the motion passed unanimously.

CETRAINING.COM – Cosmetology Continuing Education 16 Hour Internet

After review, Vice Chair Ritenbaugh moved to approve the course with the following contingency: update reference dates. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Harvey seconded the motion and the motion passed unanimously.

Cinderella Hair Extensions – Introduction to Cinderella Hair Extensions 2 Hour Classroom

After review, Vice Chair Ritenbaugh moved to deny the course based on the course content being product driven, outside the scope of practice of Board of Cosmetology licensees, no reference dates, and outdated references. Ms. Poppell seconded the motion and the motion passed unanimously.

Cinderella Hair Extensions – Classic Bond Hair Extensions 16 Hour Classroom

After review, Ms. Harvey moved to deny the course based on the course content being product driven, outside the scope of practice of Board of Cosmetology licensees, no reference dates, and outdated references. Vice Chair Ritenbaugh seconded the motion and the motion passed unanimously.

Cinderella Hair Extensions – Cinderella Hair Extensions 8 Hour Classroom

After review, Ms. Harvey moved to deny the course based on the course content being product driven, outside the scope of practice of Board of Cosmetology licensees, no reference dates, and outdated references. Vice Chair Ritenbaugh seconded the motion and the motion passed unanimously.

Florida Association of Cosmetology & Technical Schools – Cosmetology Continuing Education 16 Hour Internet

After review, Vice Chair Ritenbaugh moved to approve the course with the following contingency: replace “2 or the 7 Board members” with “2 of the 7 Board members”. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Harvey seconded the motion and the motion passed unanimously.

Postquam USA – Continuing Education Course 16 Hour Classroom

After review, Vice Chair Ritenbaugh moved to approve the course with the following contingencies: update cosmetology fees, and update reference dates. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Harvey seconded the motion and the motion passed unanimously.

**ADJOURNMENT**

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

**Tuesday, July 14, 2015**

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

**Board Members Present**

Ginny Fincel, Chair  
Laurel Ritenbaugh, Vice Chair

**Board Members Absent**



Robin Tabano  
Fran Poppell  
Adrienne Harvey

### **Other Persons Present**

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Doug Dolan, Assistant Attorney General, Office of the Attorney General  
John Cary, Chief Attorney, Office of the General Counsel, DBPR  
Ramsey Revell, Assistant General Counsel, Office of the General Counsel, DBPR  
Julie Rowland, Government Analyst, DBPR  
Holly Kapacinskas, Court Reporter  
Kiki Hamilton-White  
Deborah Doria

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

### **APPROVAL OF MINUTES**

The Board approved the minutes from the June 16, 2015, Board meeting.

### **APPLICATIONS**

#### **Licensure Applications**

##### **Informal Hearing**

##### **Christina Marie McIntyre**

Ms. McIntyre was not present for the meeting. Ms. Robyn Barineau, Executive Director, informed the Board that the application was denied at the April 27-28, 2015, Board meeting, based on the noted criminal history. After review, Vice Chair Ritenbaugh moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation. Ms. Tabano seconded the motion and the motion passed unanimously.

##### **Initial Review**

##### **Kiki Hamilton-White**

Ms. Hamilton-White was present for the meeting and was sworn in by Ms. Holly Kapacinskas, Court Reporter. Chair Fincel recused herself from voting on this matter. After review, Ms. Poppell moved to approve the application with the following contingency: submit notice of disposition documents regarding the terms of probation. The documents must be submitted to the Executive Director within 60 days of the date of the order for approval. The Board also imposed probation on the license to run concurrent with her criminal probation. Ms. Tabano seconded the motion and the motion passed unanimously.

##### **Rosa Santana / New York**

Ms. Santana was not present for the meeting. After review, Ms. Tabano moved to approve the application. Ms. Poppell seconded the motion and the motion passed unanimously.

##### **Bohua Zhang**

Ms. Zhang was not present for the meeting. After review, Vice Chair Ritenbaugh moved to approve the application. Ms. Poppell seconded the motion and the motion passed unanimously.

### **OLD BUSINESS**

#### **Printing Photos on Licenses**

Ms. Barineau informed the Board that the Department continues to research the process of having a picture printed on the license when issued and again at renewal. The Board will further discuss this process at their October 2015 meeting.

## **OTHER BUSINESS**

### **Board Attorney Report**

#### Rule 61G5-20.0015, Florida Administrative Code – Performance of Cosmetology or Specialty Services Outside a Licensed Salon

The Board suggested that Mr. Dolan draft proposed language for discussion at the October 2015 Board meeting.

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

The Board requested that Ms. Barineau reach out to other state boards regarding shaving services by cosmetologists. The Board will further discuss at their October 2015 meeting.

### **Correspondence**

#### Complaints and Investigative Statistics – July 2014 – May 2015

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

#### Cosmetology Examination Summary – January 2015 – May 2015

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

### **Dates and Locations of Future Meetings**

October 12-13, 2015 – Gainesville  
January 11-12, 2016 – Howie in the Hills  
April 18-19, 2016 – Brandon  
July 18-19, 2016 – Naples

### **Elections**

The Board unanimously elected Ms. Ginny Fincel, Chair and Ms. Laurel Ritenbaugh, Vice Chair of the Florida Board of Cosmetology.

## **ADJOURNMENT**

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