

MINUTES

FLORIDA BOARD OF COSMETOLOGY
BOHEMIAN HOTEL
700 BLOOM STREET
CELEBRATION, FLORIDA 34747

Monday, July 17, 2017

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

Board Members Present

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

Board Members Absent

Adrienne Harvey

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Julie Rowland, Government Analyst, DBPR
Lynette Norr, Assistant Attorney General, Office of the Attorney General
Rebecca Hayes, Chief Attorney, Office of the General Counsel, DBPR
Angela Williams-Rivera, Assistant General Counsel, Office of the General Counsel, DBPR
Diana Brundage, Court Reporter
Joshua Price
Eva Price
Thuy Trung
Long Phan
Thy Huynh
Calvin Smart
Mary Cruz Aguiar
Tearra Berry

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.

DISCIPLINARY MATTERS

Informal Hearing

Ms. Angela Williams-Rivera, 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:

- Couture Nails and Khoa Tran; Boca Raton; Case Nos. 2016051042 & 2016053695
\$500 fine and \$229.32 costs to be paid within six months
- Ocean Nails Spa Salon and Tax Dao; Boca Raton; Case Nos. 2016055309 & 2016058124

\$500 fine and \$188.42 costs to be paid within six months

- Belle Nails & Spa and Thy Huynh; Lake Worth; Case Nos. 2016059032 & 2017002812
\$500 fine and \$236.86 costs to be paid within six months
- Nancy's Nail & Spa; Stuart; Case No. 2016053151
\$500 fine and \$186.56 costs to be paid within six months
- Another Broken Nail; Panama City Beach; Case No. 2017004015
\$500 fine and \$296.63 costs to be paid within six months
- Skymarks Nails and Spa; Jacksonville; Case No. 2017007417
\$500 fine and \$130.86 costs to be paid within six months

Motion for Waiver of Rights and Final Order

Ms. Williams-Rivera 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:

- Versailles Pro Nails & Spa, Trang Tran and Phong Le; Lake Worth; Case Nos. 2016020640, 2016020638 & 2016020635
\$700 fine and \$475.67 costs to be paid within six months
- Lovely Nails of Jupiter and Phuong Vo; Jupiter; Case Nos. 2016022006 & 2016023893
\$550 fine and \$374.23 costs to be paid within six months
- Lloyd Bryan; Oakland Park; Case No. 2016043570
\$500 fine and \$77.23 costs to be paid within six months
- Duc Trinh; Davie; Case No. 2016038711
\$500 fine and \$200.77 costs to be paid within six months
- Glam City Salon and Spa; West Palm Beach; Case No. 2016026923
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Thanh Cao, d/b/a La Mer Nails and Spa; Lake Worth; Case No. 2016027498
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Bright Nails; Tallahassee; Case No. 2016043388
\$500 fine and \$31.31 costs to be paid within six months
- Impression's Hair Studio; Orlando; Case No. 2016025770
\$500 and \$262.16 costs to be paid within six months
- Guykeda Gordon; Miramar; Case No. 2016039952
\$500 fine and \$141.64 costs to be paid within six months
- Pachinos Hair Salon; Lake Worth; Case No. 2016052892
\$700 fine and \$116.89 costs to be paid within six months
- Royal Essence Spa & Nails; Jacksonville; Case No. 2016052082
\$500 fine and \$147.80 costs to be paid within six months

- Davi Nails 1205; MacClenny; Case No. 2016049940
\$500 fine and \$196.67 costs to be paid within six months
- Crystal Marie Hunter; Gainesville; Case No. 2016031265
\$500 fine and \$438.32 costs to be paid within six months
- Tasmine Ballentine; Orlando; Case No. 2016029636
Ms. Williams-Rivera requested that this case be pulled from the agenda
- Venetian Nail Spa and Hoa Nguyen; Delray Beach; Case No. 2016048750 & 2016050461
\$500 fine and \$226.22 costs to be paid within six months
- Forever 21 Nails Spa and Jenny Nguyen; West Palm Beach; Case Nos. 2016041675 & 2016046897
\$500 fine and \$196.11 costs to be paid within six months
- Lakisha Turner; Alachua; Case No. 2016030238
\$500 fine and \$385.83 costs to be paid within six months
- Adorable Nails & Spa; Palm Harbor; Case No. 2016049345
\$500 fine and \$81.46 costs to be paid within six months
Suspension of license CE9974810 for 14 days
- Cesar Matos; Dania Beach; Case No. 2016046245
\$500 fine and \$256.20 costs to be paid within six months
- Brian Torres; Orlando; Case No. 2016019693
\$390.22 costs only
Revocation of license CL1218348
- Amber McClain; Ft. Walton Beach; Case No. 2016051506
\$500 fine and \$76.14 costs to be paid within six months
- Lu Nails and Vu Nguyen; N. Palm Beach; Case Nos. 2016040696 & 2016042102
\$500 fine and \$337.10 costs to be paid within six months
- Mely Nail Spa; New Port Richey; Case No. 2016053000
\$500 and \$179.57 costs to be paid within six months
- Cecilio Matias; Miami; Case No. 2016048281
Ms. Williams-Rivera requested that this case be pulled from the agenda
- US Nails and Thao Tieu; Delray Beach; Case Nos. 2017001107 & 2017002803
\$500 fine and \$193.89 costs to be paid within six months
- GetGlammedUp; West Palm Beach; Case No. 2016046361
\$500 fine and \$184.88 costs to be paid within six months
- Ocean Nails by JK and Quang Giang; Jensen Beach; Case Nos. 2016052251 & 2016053721
\$500 fine and \$341.08 costs to be paid within six months
- Nice Nails & Spa and Hieu Huynh; Greenacres; Case Nos. 2016057106 & 2017002180
\$500 fine and \$231.55 costs to be paid within six months
- B A Nails and Luu Ngochuyen; Lake Worth; Case Nos. 2016059028 & 2017003461

\$500 fine and \$351.54 costs to be paid within six months

- A Perfect Image; Plant City; Case No. 2016039457
\$500 fine and \$172.49 costs to be paid within six months
- Regla Suarez; Miami; Case No. 2017007096
\$500 fine and \$182.89 costs to be paid within six months

Settlement Stipulation

Ms. Williams-Rivera 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:

- Alvin Vassall; Miami Gardens; Case No. 2016039940
\$500 fine and \$197.82 costs to be paid within 30 days
- Dila Nails and Chau Ngo; Boynton Beach; Case Nos. 2016050172 & 2016053965
\$500 fine and \$170.58 costs to be paid within six months
- Venetian Nails Spa; Boca Raton; Case No. 2016052087
\$500 fine and \$86.78 costs to be paid within six months
- Diamond Nail & Spa; St. Petersburg; Case No. 2016049764
\$500 fine and \$89.03 costs to be paid within six months
- Christine Nail Salon and Chuong Huynh; Palm Beach Garden; Case Nos. 2016041171 & 2016044162
\$500 fine and \$353.43 costs to be paid within six months
- Nail Express, Long Pham and Thuy Truong; Boca Raton; Case Nos. 2016050846, 2016053702 & 2016053704
\$500 fine and \$227.24 costs to be paid within six months
- Hairdue 'N Nails; Dania; Case No. 2016046304
\$250 fine and \$77.34 costs to be paid within six months
- Andrea's Hair Design; Pompano Beach; Case No. 2016053602
\$500 fine and \$51.76 costs to be paid within six months
- Diamond Nail & Spa; Oldsmar; Case No. 2016054221
\$500 fine and \$179.57 costs to be paid within six months
- Nails by Tam of Boynton Beach and Diem Dang; Boynton Beach; Case Nos. 2016053527 & 2016055844
\$500 fine and \$216.44 costs to be paid within six months
- Lord Ford & Worth; West Palm Beach; Case No. 2016046176
\$350 fine and \$184.88 costs to be paid within six months
- QMC Nails and Hong Nguyen; West Palm Beach; Case Nos. 2016055307 & 2016058109
\$500 fine and \$233.78 costs to be paid within six months
- Venetian Nail Spa; West Palm Beach; Case No. 2016053324
\$500 fine and \$86.78 costs to be paid within six months

- Royal Palace Nail Spa; Tampa; Case No. 2016033393
\$500 fine and \$348.27 costs to be paid within six months
- Big Bend Nails & Spa; Riverview; Case No. 2016047399
\$500 fine and \$85.44 costs to be paid within six months
- Nails So Happy; Springhill; Case No. 2016048716
\$500 fine and \$87.67 costs to be paid within six months
- Nail Star; Sarasota; Case No. 2016018995
\$500 fine and \$147.87 costs to be paid within six months
- Silver Moon River; Boca Raton; Case No. 2016055543
\$500 fine and \$122.22 costs to be paid within six months
- Red Nails and Tuyen Nguyen; Port St. Lucie; Case Nos. 2016047244 & 2016049573
\$500 fine and \$322.99 costs to be paid within six months
- Delray Nails and Spa; Delray Beach; Case No. 2017001103
\$500 fine and \$99.55 costs to be paid within six months

Department Attorney Report

Ms. Williams-Rivera informed the Board that as of June 9, 2017, there were 182 open cosmetology cases in the legal section.

APPLICATIONS

Hair Braiding Courses

N.E.A.T. Styles – Classroom

After review, Vice Chair Rhonda Griffis moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, grammatical errors, and incorrect disinfection procedures. Mr. Jared Sutherland seconded the motion and the motion passed unanimously.

Loc N Twisted – Classroom

After review, Vice Chair Griffis moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, grammatical errors, outdated references, and incorrect references. Mr. Sutherland seconded the motion and the motion passed unanimously.

Varieties – Classroom

Ms. Tearra Berry was present for the meeting and was sworn in by Ms. Diana Brundage, Court Reporter. After review, Ms. Laurel Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration, incorrect disinfection procedures, and incorrect references. Vice Chair Griffis seconded the motion and the motion passed unanimously.

Hair Wrapping Courses

Beyond Career Institute – Classroom

After review, Ms. Ritenbaugh moved to deny the course based on the course being outside the scope of practice of a hair wrapping registration, incorrect disinfection procedures, and incorrect references. Mr. Sutherland seconded the motion and the motion passed unanimously.

Loc N Twisted – Classroom

After review, Vice Chair Griffis moved to deny the course based on the course content being outside the scope of practice of a hair wrapping registration, grammatical errors, outdated references, and incorrect references. Mr. Sutherland seconded the motion and the motion passed unanimously.

Body Wrapping Courses

QM Career Institute – Classroom

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a body wrapping registration, outdated references, and incorrect disinfection procedures. Mr. Sutherland seconded the motion and the motion passed unanimously.

Beyond Career Institute – Classroom

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a body wrapping registration, outdated references, incorrect references, grammatical errors, and incorrect disinfection procedures. Mr. Sutherland seconded the motion and the motion passed unanimously.

Continuing Education Courses

CE Institute – Ear Reflexology 3 Hour Classroom

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Hand and Ear Reflexology 6 Hour Classroom

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Lymphatic Facial Lesson 1 Hour Classroom

After review, Vice Chair Griffis moved to approve the course. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

CE Institute – Lymphatic Facial 6 Hour Classroom

After review, Vice Chair Griffis moved to approve the course. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Advanced Neck Massage 3 Hour Classroom

After review, Vice Chair Griffis moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

CE Institute – Stone Facial Intro 3 Hour Classroom

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Stone Facial 6 Hour Classroom

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Facial Circular Therapy 3 Hour Classroom

After review, Vice Chair Griffis moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Circular Therapy Lesson 1 Hour Classroom

After review, Vice Chair Griffis moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Aromatherapy Facial 6 Hour Classroom

After review, Vice Chair Griffis moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Hand Reflexology 3 Hour Classroom

After review, Mr. Sutherland moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Ms. Stephania Streit seconded the motion and the motion passed unanimously.

CE Institute – Advanced Face Neck and Scalp Massage 6 Hour Classroom

After review, Vice Chair Griffis moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Advanced Face Neck and Scalp Massage 3 Hour Classroom

After review, Vice Chair Griffis moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Mr. Sutherland seconded the motion and the motion passed unanimously.

CE Institute – Working With Cancer 3 Hour Classroom

After review, Mr. Sutherland moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Vice Chair Griffis seconded the motion and the motion passed unanimously.

CE Institute – Working With Geriatrics 3 Hour Classroom

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees. Vice Chair Griffis seconded the motion and the motion passed unanimously.

Florida Cosmetology Educators Online – Continuing Education 16 Hour Internet

Ms. Eva Price was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course with the following contingency: strike references to “MSDS” and replace with “SDS”. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Vice Chair Griffis seconded the motion and the motion passed unanimously.

Florida Cosmetology Educators Online – Continuing Education 16 Hour Correspondence

Ms. Price was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course with the following contingency: strike references to “MSDS” and replace with “SDS”. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Vice Chair Griffis seconded the motion and the motion passed unanimously.

Beauty Academy – Florida Cosmetology Essentials 16 Hour Internet

After review, Vice Chair Griffis moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees, and incorrect disinfection procedures. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Beauty Academy – Florida Cosmetology Essentials 16 Hour Correspondence

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of Board of Cosmetology licensees, and incorrect disinfection procedures. Vice Chair Griffis seconded the motion and the motion passed unanimously.

BCCREDITS.ORG – HIV/AIDS 2 Hour Internet

After review, Ms. Ritenbaugh moved to approve the course with the following contingencies: strike references to “MSDS” and replace with “SDS”, and update fees. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Mr. Sutherland seconded the motion and the motion passed unanimously.

BCCREDITS.ORG – Continuing Education 16 Hour Internet

After review, Ms. Ritenbaugh moved to approve the course with the following contingencies: strike references to “MSDS” and replace with “SDS”, and update fees. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Mr. Sutherland seconded the motion and the motion passed unanimously.

@HOMEPREP – Chemical Makeup 2 Hour Internet

Mr. Joshua Purvis was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course with the following contingency: strike references to “MSDS” and replace with “SDS”. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Vice Chair Griffis seconded the motion and the motion passed unanimously.

@HOMEPREP – Environmental Issues 1 Hour Internet

Mr. Purvis was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course with the following contingencies: correct grammatical errors, and strike references to “MSDS” and replace with “SDS”. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Fran Poppell seconded the motion and the motion passed unanimously.

@HOMEPREP – HIV/AIDS 2 Hour Internet

Mr. Purvis was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course. Mr. Sutherland seconded the motion and the motion passed unanimously.

@HOMEPREP – Worker’s Compensation 3 Hour Internet

Mr. Purvis was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course. Mr. Sutherland seconded the motion and the motion passed unanimously.

@HOMEPREP – OSHA 2 Hour Internet

Mr. Purvis was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course. Mr. Sutherland seconded the motion and the motion passed unanimously.

@HOMEPREP – Sanitation and Sterilization 3 Hour Internet

Mr. Purvis was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course. Mr. Sutherland seconded the motion and the motion passed unanimously.

@HOMEPREP – Florida Cosmetology Laws 3 Hour Internet

Mr. Purvis was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course. Mr. Sutherland seconded the motion and the motion passed unanimously.

@HOMEPREP – Florida Cosmetology CE 16 Hour Internet

Mr. Purvis was present for the meeting. After review, Ms. Ritenbaugh moved to approve the course with the following contingencies: correct grammatical errors, and strike references to “MSDS” and replace with “SDS”. The corrections must be submitted to the Executive Director within 30 days of

the date of the order for approval. Mr. Sutherland seconded the motion and the motion passed unanimously.

Dolly Monroe Studios – Eyelash Extension 16 Hour Classroom

After review, Vice Chair Griffis moved to deny the course based on outdated references, product driven, and incomplete course completion certificate. Mr. Sutherland seconded the motion and the motion passed unanimously.

Martell Beauty – Eyelash Extensions 8 Hour Classroom

After review, Ms. Ritenbaugh moved to deny the course based on grammatical errors, and incorrect disinfection procedures. Mr. Sutherland seconded the motion and the motion passed unanimously

Anytime Certification – Cosmetology License Renewal 16 Hour Internet

After review, Ms. Ritenbaugh moved to approve the course with the following contingency: strike references to “formaldehyde”. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Mr. Sutherland seconded the motion and the motion passed unanimously.

ASM Beauty World Academy - Cosmetology Continuing Education 16 Hour Internet

After review, Vice Chair Griffis moved to approve the course with the following contingencies: strike references to “wet disinfectant” as a disinfectant, strike “wood lamp” and replace with “woods lamp”, and update Milady reference. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Mr. Sutherland seconded the motion and the motion passed unanimously.

ASM Beauty World Academy - Cosmetology Continuing Education 16 Hour Classroom

After review, Vice Chair Griffis moved to approve the course with the following contingencies: strike references to “wet disinfectant” as a disinfectant, strike “wood lamp” and replace with “woods lamp”, and update Milady reference. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Mr. Sutherland seconded the motion and the motion passed unanimously.

ASM Beauty World Academy - Cosmetology Continuing Education 16 Hour Correspondence

After review, Vice Chair Griffis moved to approve the course with the following contingencies: strike references to “wet disinfectant” as a disinfectant, strike “wood lamp” and replace with “woods lamp”, and update Milady reference. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Mr. Sutherland seconded the motion and the motion passed unanimously.

ContinuingCosmetology.com – Continuing Education 16 Hour Internet

After review, Vice Chair Griffis moved to deny the course based on outdated references, incorrect references, and incorrect disinfection procedures. Ms. Streit seconded the motion and the motion passed unanimously.

OTHER BUSINESS

Board Attorney Report

61G5-24.009, Florida Administrative Code – Biennial Renewal Fee and Delinquent Fee for Salon License

The Board agreed to reduce the delinquent fee from \$40 to \$25 based on the passage of HB741. They agreed that a violation of this rule, or any part of this rule, would not be designated as a minor violation. They also agreed that there would be no negative impact on small business nor would there

likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

61G5-24.010, Florida Administrative Code – Delinquent License and Specialty Registration Fee

The Board agreed to reduce the delinquent fee from \$50 to \$25 based on the passage of HB741. They agreed that a violation of this rule, or any part of this rule, would not be designated as a minor violation. They also agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation.

61G5-20.002, Florida Administrative Code – Salon Requirements

The Board approved the following language and agreed that there would be no negative impact on small business nor would there likely be any increase in regulatory costs in excess of \$200,000 in the aggregate within one year after implementation. They also agreed that a violation of this rule, or any part of this rule, would not be designated as a minor violation.

(1) Definitions: For the purposes of this rule, the following definitions apply:

(a) “Clean” means the removal of visible debris from a surface such as washing with soap/water.

(b) “Disinfect” means the use of a chemical to destroy potential pathogens.

(c) “Sterilize” means the complete destruction of all microbial life, commonly achieved through the use of heat and/or pressure.

(d) “Wet disinfection container” means a tub or jar with a lid, filled with disinfectant and large enough for all items to be completely immersed.

(e) “Infection control” means the process for reducing the risk of spreading disease causing pathogens.

(2) Prior to opening a salon, the owner shall:

(a) Submit an application on forms prescribed by the Department of Business and Professional Regulation; and

(b) Pay the required registration fee as outlined in the fee schedule in Rule 61G5-24.005, F.A.C.; and

(c) Meet the safety and sanitary requirements as listed below and these requirements shall continue in full force and effect for the life of the salon:

1. Ventilation and Cleanliness: Each salon shall be kept well ventilated. The walls, ceilings, furniture and equipment shall be kept clean and free from dust. Hair must not be allowed to accumulate on the floor of the salon. Hair must be deposited in a covered waste receptacle. Each salon which provides services for the extending or sculpturing of nails shall provide such services in a separate area which is adequately ventilated for the safe dispersion of all fumes resulting from the services.

2. Toilet and Lavatory Facilities: Each salon shall provide – on the premises or in the same building as, and within 300 feet of, the salon – adequate toilet and lavatory facilities. To be adequate, such facilities shall have at least one toilet and one sink with running water. Such facilities shall be equipped with toilet tissue, soap dispenser with soap or other hand cleaning material, sanitary towels or other hand-drying device such as a wall-mounted electric blow dryer, and waste receptacle. Such facilities and all of the foregoing fixtures and components shall be kept clean, in good repair, well-lighted, and adequately ventilated to remove objectionable odors.

3. A salon, or specialty salon may be located at a place of residence. Salon facilities must be separated from the living quarters by a permanent wall construction. A separate entrance shall be provided to allow entry to the salon other than from the living quarters. Toilet and lavatory facilities shall comply with subparagraph (c)2. above and shall have an entrance from the salon other than the living quarters.

4. Animals: No animals or pets shall be allowed in a salon, with the exception of service animals and fish kept in closed aquariums.

5. Shampoo Bowls: Each salon shall have shampoo bowls equipped with hot and cold running water. The shampoo bowls shall be located in the area where cosmetology services are being performed. A

specialty salon that exclusively provides specialty services, as defined in Section 477.013(6), F.S., need not have a shampoo bowl, but must have a sink or lavatory equipped with hot and cold running water on the premises of the salon.

(d) Comply with all local building and fire codes. These requirements shall continue in full force and effect for the life of the salon.

(3) Each salon shall comply with the following:

(a) Linens: Each salon shall keep clean linens in a closed, dustproof cabinet. All soiled linens must be kept in a closed receptacle. Soiled linens may be kept in open containers if entirely separated from the area in which cosmetology services are rendered to the public. A sanitary towel or neck strip shall be placed around the patron's neck to avoid direct contact of the shampoo cape with a patron's skin.

(b) Containers: Salons must use containers for waving lotions and other preparations of such type as will prevent contamination of the unused portion. All creams shall be removed from containers by spatulas.

(c) Disinfection: The use of a brush, comb or other article on more than one patron without being disinfected is prohibited. Each salon is required to have sufficient combs, brushes, and implements to allow for adequate disinfecting practices. Combs or other instruments shall not be carried in pockets.

(d) Disinfectants: All salons shall be equipped with and utilize disinfecting solutions with hospital level disinfectant or EPA approved disinfectant, sufficient to allow for disinfecting practices.

1. A wet disinfection container is any receptacle containing a disinfectant solution and large enough to allow for a complete immersion of the articles. A cover shall be provided.

2. Disinfecting methods which are effective and approved for salons: First, clean articles with soap and water, completely immerse in a chemical solution that is hospital level or EPA approved disinfectant as follows:

a. Combs and brushes, remove hair first and immerse in hospital level or EPA approved disinfectant;

b. Metallic instrument, immerse in hospital level for EPA approved disinfectant;

c. Instruments with cutting edge, wipe with a hospital level or EPA approved disinfectant; or

d. Implements may be immersed in a hospital level or EPA approved disinfectant solution.

e. Shampoo bowls, facial beds, and neck rests, clean and disinfect between each use.

3. For purposes of this rule, a "hospital level disinfectant or EPA approved disinfectant" shall mean the following:

a. For all combs, brushes, metallic instruments, instruments with a cutting edge, and implements that have not come into contact with blood or body fluids, a disinfectant that indicates on its label that it has been registered with the EPA as a hospital grade bacterial, virucidal and fungicidal disinfectant;

b. For all combs, brushes, metallic instruments with a cutting edge, and implements that have come into contact with blood or body fluids, a disinfectant that indicates on its label that it has been registered with the EPA as a disinfectant, in accordance with 29 C.F.R. 1910.1030.

4. All disinfectants shall be mixed and used according to the manufacturer's directions.

(e) After cleaning and disinfecting, articles shall be stored in a clean, closed cabinet or container until used. Undisinfected articles such as pens, pencils, money, paper, mail, etc., shall not be kept in the same container or cabinet. For the purpose of recharging, rechargeable clippers may be stored in an area other than in a closed cabinet or container, provided such area is clean and provided the cutting edges of such clippers have been disinfected.

(f) Ultra Violet Irradiation may be used to store articles and instruments after they have been cleansed and disinfected.

(g) Pedicure Equipment Disinfection:

The following cleaning and disinfection procedures must be used for any pedicure equipment that holds water, including sinks, bowls, basins, pipe-less spas, and whirlpool spas:

1. After each client, all pedicure units must be cleaned with a low-foaming soap or detergent with water to remove all visible debris, then disinfected with an EPA registered hospital grade bactericidal, fungicidal, virucidal, and pseudomonacidal disinfectant used according to manufacturers' instructions

for at least ten (10) minutes. If the pipe-free foot spa has a foot plate, it should be removed and the area beneath it cleaned, rinsed, and wiped dry.

2. At the end of each day of use, the following procedures shall be used:

a. All filter screens in whirlpool pedicure spas or basins for all types of foot spas must be disinfected. All visible debris in the screen and the inlet must be removed and cleaned with a low-foaming soap or detergent and water. For pipe-free systems, the jet components or foot plate must be removed and cleaned and any debris removed. The screen, jet, or foot plate must be completely immersed in an EPA registered, hospital grade bactericidal, fungicidal, virucidal, and pseudomonacidal disinfectant that is used according to manufacturer's instructions. The screen, jet, or foot plate must be replaced after disinfection is completed and the system is flushed with warm water and low-foaming soap for 5 minutes, rinsed, and drained.

b. After the above procedures are completed, the basin should be filled with clean water and the correct amount of EPA registered disinfectant. The solution must be circulated through foot spa system for 10 minutes and the unit then turned off. The solution should remain in the basin for at least 6 to 10 hours. Before using the equipment again, the basin system must be drained and flushed with clean water.

3. Once each week, subsequent to completing the required end-of-day cleaning procedures, the basin must be filled with a solution of water containing one teaspoon of 5.25% bleach for each gallon of water. The solution must be circulated through the spa system for 5 to 10 minutes and then the solution must sit in the basin for at least 6 hours. Before use, the system must be drained and flushed.

4. A record or log book containing the dates and times of all pedicure cleaning and disinfection procedures must be documented and kept in the pedicure area by the salon and made available for review upon request by a consumer or a Department inspector.

(4) No cosmetology or specialty salon shall be operated in the same licensed space allocation with any other business which adversely affects the sanitation of the salon, or in the same licensed space allocation with a school teaching cosmetology or a specialty licensed under Chapter 477, F.S., or in any other location, space, or environment which adversely affects the sanitation of the salon. In order to control the required space and maintain proper sanitation, where a salon adjoins such other business or school, or such other location, space or environment, there must be permanent walls separating the salon from the other business, school, location, space, or environment and there must be separate and distinctly marked entrances for each.

Evidence that the full or specialty salon contains a minimum of 100 square feet of floor space per operator.

(5) Evidence that the full or specialty salon contains a minimum of 100~~200~~ square feet of floor space. No more than one (1)~~two (2)~~ cosmetologists or specialists may be employed in a salon which has only the minimum floor space. An additional 50 square feet will be required for each additional specialist or cosmetologist employed.

(6) Full and A-specialty salons, regardless of size and number of operators, offering only one of the regulated specialties shall evidence a minimum of 100 square feet used in the performance of the specialty service and shall meet all the sanitation requirements stated in this section. No more than one specialist or cosmetologist may be employed in a specialty salon with only the minimum floor space. An additional 50 square feet will be required for each additional specialist or cosmetologist employed.

(7) For purposes of this rule, "permanent wall" means a vertical continuous structure of wood, plaster, masonry, or other similar building material, which is physically connected to a salon's floor and ceiling, and which serves to delineate and protect the salon.

Executive Director Report

Financial Report for Period Ending March 2017

Ms. Robyn Barineau, Executive Director, reported that the balance in the Board's operating account as of March 31, 2017, was over \$7.6 million, and the balance in their unlicensed activity account was over \$3.2 million for the same period.

Correspondence

Complaints and Investigative Statistics – July 2016 – May 2017

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

Cosmetology Examination Summary – January 2017 – May 2017

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

Dates and Locations of Future Meetings

October 16-17, 2017 – Hutchison Island
January 22-23, 2018 – Destin
April 16-17, 2018 – Altamonte Springs
July 16-17, 2018 – Lake Mary

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 3:30 p.m.

Tuesday, July 18, 2017

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

Board Members Present

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

Board Members Absent

Adrienne Harvey

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Julie Rowland, Government Analyst, DBPR
Lynette Norr, Assistant Attorney General, Office of the Attorney General
Rebecca Hayes, Chief Attorney, Office of the General Counsel, DBPR
Angela Williams-Rivera, Assistant General Counsel, Office of the General Counsel, DBPR
Diana Brundage, Court Reporter

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

APPROVAL OF MINUTES

The Board approved the minutes from the June 23, 2017, Board meeting.

APPLICATIONS

Licensure Applications

Initial Review

Charlotte Monjah

Ms. Monjah was not present for the meeting. After review, Ms. Ritenbaugh moved to deny the application based on the noted criminal history. Mr. Sutherland seconded the motion and the motion passed unanimously.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 9:30 a.m.