

MINUTES

FLORIDA BOARD OF COSMETOLOGY
OCALA HILTON
3600 SOUTHWEST 36TH AVE.
OCALA, FLORIDA 34474
October 24-25, 2011

Monday, October 24, 2011

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

Board Members Present

Myra Jowers, Chair
Crystal Lackey
Ginny Fincel, Vice Chair
Laurel Ritenbaugh
Crystal Lackey

Board Members Absent

Monica Smith

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Rachel Clark, Assistant Attorney General, Office of the Attorney General (OAG)
Kathleen Brown-Blake, Assistant General Counsel, Office of the General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
Courtney Wear, Court Reporter
Mai Nguyen
Patricia Cerniglia
Loan Nguyen
Shannon Whalen
Kevin B. Nguyen
Arlele Udick
Shemeka Byrd
Mary Grant
Julia Leggett
Kara Sosa
Carmen Aliex
Marie G. Fils-amie
My T. Le
Nhan Le
Ali Eltahir

The meeting was opened with a roll call and a quorum was established. Chair Jowers excused Ms. Monica Smith's absence from the meeting.

Disciplinary Matters

Informal Hearings

Ms. Brown-Blake, Assistant Attorney General, presented the following cases for consideration by the board. The board found that 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 adopts them as the findings of fact and conclusions of the law of the board and imposed the penalties shown below:

A&J Nails and Kevin B. Nguyen; Stuart; Case Nos. 2011.003836 and 2011.003843

Kevin B. Nguyen and Krysty Nguyen were present for the meeting and were sworn in by Ms. Courtney Wear, Court Reporter. Ms. Laurel Ritenbaugh moved that the board impose a fine of \$800 and costs of \$212.44, to be paid over a period of six months, with the first payment of \$212.44 due within 30 days of the final order and five monthly payments of \$160 each. Ms. Crystal Lackey seconded the motion and the motion passed unanimously.

Angel Nails and Tang Cheung; W. Palm Beach; Case Nos. 2010.028713 and 2010.051811

The Respondent was not present for the meeting. Ms. Lackey moved that the board impose a fine of \$550 and costs of \$251.91, to be paid over a period of six months, with the first payment of \$251.91 due within 30 days of the final order and five monthly payments of \$110 each. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Anthony H. Hopper; Ft. Myers; Case No. 2010.044610

Ms. Brown-Blake requested that this case be pulled from the agenda.

Asian Nails and Minh Nguyen; Palm Beach Gardens; Case Nos. 2010.050695 and 2010.058239

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the board impose a fine of \$300 and costs of \$254.77, to be paid over a period of six months, with the first payment of \$254.77 due within 30 days of the final order and five monthly payments of \$60 each. Ms. Lackey seconded the motion and the motion passed unanimously. Ms. Lackey seconded the motion and the motion passed unanimously.

Awa Fall; Lakeland; Case No. 2010.051605

Ms. Fall was not present for the meeting. Ms. Ritenbaugh moved that the board impose a fine of \$1,000 and costs of \$111.77, to be paid over a period of six months, with the first payment of \$111.77 due within 30 days of the final order and five monthly payments of \$200 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Beauty Nails & Tan; Cape Coral; Case No. 2010.060265

The Respondent was not present for the meeting. Ms. Lackey moved that the board impose a fine of \$600 and costs of \$213.28, to be paid over a period of six months, with the first payment of \$213.28 due within 30 days of the final order and five monthly payments of \$120 each, re-inspection within six months, plus six months stayed suspension against cosmetology salon license CE9974423. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license will be suspended. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Browne's Beauty; Miami; Case No. 2010.028275

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the board impose a fine of \$500 and costs of \$100.23, to be paid over a period of six months, with the first payment of \$100.23 due within 30 days of the final order and five monthly payments of \$100 each. Vice Chair Ginny Fincel seconded the motion and the motion passed unanimously.

Byrd's A Head Above; Melbourne; Case No. 2010.061581

Ms. Shemeka Byrd was present for the meeting and was sworn in by the Court Reporter. Ms. Ritenbaugh moved that the board impose a fine of \$500 and costs of \$187.85, to be paid over a period of six months, with the first payment of \$187.85 due within 30 days of the final order and five monthly payments of \$100 each. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Cali Pronails and Hieu Tran; Port St. Lucie; Case Nos. 2010.045712 and 2010.051730

The Respondent was not present for the meeting. Ms. Lackey moved that the board impose a fine of \$800 and costs of \$245.11, to be paid over a period of six months, with the first payment of \$245.11 due within 30 days of the final order and five monthly payments of \$160 each, re-inspection within six months, plus six months stayed suspension against cosmetology salon license CE9969778 and nail specialist license FV245. In the event the Respondent fails to comply with the terms of the final order,

the stay shall be lifted and the cosmetology salon license and nail specialist license will be suspended. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

CKP Nails and Cuong Tong; Royal Palm Beach; Case Nos. 2011.002822 and 2011.002818

The Respondent was not present for the meeting. Vice Chair Fincel moved that the board impose a fine of \$1,200 and costs of \$244.04, to be paid over a period of six months, with the first payment of \$244.04 due within 30 days of the final order and five monthly payments of \$240 each, re-inspection within six months, plus six months stayed suspension against cosmetology salon license CE9960319 and nail specialist license FV579968. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and nail specialist license will be suspended. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

D N Nails; Boynton Beach; Case Nos. 2010.054479 and 2011.007578

Ms. Mai Nguyen was present for the meeting and was sworn in by the Court Reporter. Ms. Ritenbaugh moved that the board impose a fine of \$6,000 and costs of \$660.37, to be paid over a period of six months, with the first payment of \$660.37 due within 30 days of the final order and five monthly payments of \$1,200 each. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Dr. Hair Salon; Apopka; Case No. 2011.009029

Ms. Natasha Acosta and Ms. Carmen Aliex were present for the meeting and were sworn in by the Court Reporter. Ms. Lackey moved that the board impose a fine of \$300 and costs of \$255.57, to be paid over a period of six months, with the first payment of \$255.57 due within 30 days of the final order and five monthly payments of \$60 each. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Escape Nail and Spa and Tram H. Truong; Port. St. Lucie; Case Nos. 2010.054299 and 2010.058246

The Respondent was not present for the meeting. Vice Chair Fincel moved that the board impose a fine of \$550 and costs of \$228.31, to be paid over a period of six months, with the first payment of \$228.31 due within 30 days of the final order and five monthly payments of \$110 each, re-inspection within six months, plus six months stayed suspension against cosmetology salon license CE9976786 and full specialty license FS862951. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and full specialty license will be suspended. Ms. Lackey seconded the motion and the motion passed unanimously.

Fashion Nails; Tallahassee; Case No. 2011.005752

The Respondent was not present for the meeting. Ms. Lackey moved that the board impose a fine of \$300 and costs of \$259.36, to be paid over a period of six months, with the first payment of \$259.36 due within 30 days of the final order and five monthly payments of \$60 each. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Francesca Sara Silva Rollo; Jacksonville; Case No. 2010.044727

Ms. Brown-Blake requested that this case be pulled from the agenda.

Goldfinger Beauty Salon, Inc.; Miami; Case No. 2010.062229

The Respondent was not present for the meeting. Ms. Lackey moved that the board impose a fine of \$500 and costs of \$88.87, two re-inspections within two months, plus suspension against cosmetology salon license CE85648 until all fines and costs are paid. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Jason Von Nieda; Daytona; Case No. 2011.003652

Ms. Brown-Blake requested that this case be pulled from the agenda.

Julia Ann Leggett; Jacksonville; Case No. 2010.054462

Ms. Leggett was present for the meeting and was sworn in by the Court Reporter. Vice Chair Fincel moved that the board impose a fine of \$500 and costs of \$61.82, to be paid over a period of six

months, with the first payment of \$61.82 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.

Jupiter Nails & Spa and Linh Lu; Jupiter; Case Nos. 2010.044310 and 2010.050101

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the board impose a fine of \$650 and costs of \$219.11, to be paid over a period of six months, with the first payment of \$219.11 due within 30 days of the final order and five monthly payments of \$130 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Kristy's Nails & Spa; Defuniak Springs; Case No. 2011.003254

Ms. Nahn Le was present for the meeting and was sworn in by the Court Reporter. Vice Chair Fincel moved that the board impose a fine of \$800 and costs of \$134.17, to be paid over a period of six months, with the first payment of \$134.17 due within 30 days of the final order and five monthly payments of \$160 each. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

L.T. Nails and Tinh Nguyen; Vero Beach; Case Nos. 2010.051816 and 2010.045385

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the board impose a fine of \$500 and costs of \$238.44, to be paid over a period of six months, with the first payment of \$238.44 due within 30 days of the final order and five monthly payments of \$100 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Ly Thi Van; Port Charlotte; Case No. 2010.021003

Ms. Kara Sosa, Attorney for Mr. Van, was present for the meeting and was sworn in by the Court Reporter. Ms. Ritenbaugh moved that the board dismiss the case. Ms. Lackey seconded the motion and the motion passed unanimously.

Marie G. Fils-amie; Port St. Lucie; Case No. 2010.037076

Ms. Brown-Blake requested that this case be pulled from the agenda.

Mary Grant; Port St. Lucie; Case No. 2010.029895

Ms. Grant was present for the meeting and was sworn in by the Court Reporter. Ms. Lackey moved that the board dismiss the case. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

My T. Le; Riverview; Case No. 2010.057434

Ms. Le was present for the meeting and was sworn in by the Court Reporter. Vice Chair Fincel moved that the board impose a fine of \$250 and costs of \$166.32, to be paid over a period of six months, with the first payment of \$166.32 due within 30 days of the final order and five monthly payments of \$50 each, plus six months stayed suspension against nail specialist license FV9545205. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the nail specialist license will be suspended. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Nail Art; Panama City; Case No. 2010.044633

Ms. Loan Nguyen and Mr. Trung Ngo Le were present for the meeting and were sworn in by the Court Reporter. Ms. Ritenbaugh moved that the board impose a fine of \$300 and costs of \$92.34, to be paid over a period of six months, with the first payment of \$92.34 due within 30 days of the final order and five monthly payments of \$60 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Nails So Happy and Thiep Phan; Sebastian; Case Nos. 2010.049719 and 2010.055841

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the board impose a fine of \$550 and costs of \$202.78, to be paid over a period of six months, with the first payment of \$202.78 due within 30 days of the final order and five monthly payments of \$110 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Nancy Nails and Cuong D. Pham; N. Palm Beach; Case Nos. 2010.054286 and 2010.058250

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the board impose a fine of \$750 and costs of \$234.66, to be paid over a period of six months, with the first payment of \$234.66 due within 30 days of the final order and five monthly payments of \$150 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Oasis Nails; Destin; Case No. 2010.056929

The Respondent was not present for the meeting. Vice Chair Fincel moved that the board impose a fine of \$800 and costs of \$102.86, to be paid over a period of six months, with the first payment of \$102.86 due within 30 days of the final order and five monthly payments of \$160 each, re-inspection within six months, plus six months stayed suspension against cosmetology salon license CE9960875. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license will be suspended. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Patti Cerniglia and Traditions; Palm Springs; Case Nos. 2010.043742 and 2010.043753

Ms. Cerniglia was present for the meeting and was sworn in by the Court Reporter. Ms. Lackey moved that the board impose a fine of \$300 and costs of \$275.94, to be paid over a period of six months, with the first payment of \$275.94 due within 30 days of the final order and five monthly payments of \$60 each. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Queen Nails; Jacksonville; Case No. 2010.058604

The Respondent was not present for the meeting. Ms. Lackey moved that the board impose a fine of \$550 and costs of \$77.21, to be paid over a period of six months, with the first payment of \$77.21 due within 30 days of the final order and five monthly payments of \$110 each, plus re-inspection within six months. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Shannon M. Whalen; W. Palm Beach; Case No. 2010.043763

Ms. Whalen was present for the meeting and was sworn in by the Court Reporter. Ms. Lackey moved that the board impose a fine of \$1,500 and costs of \$160.06, to be paid over a period of six months, with the first payment of \$160.06 due within 30 days of the final order and five monthly payments of \$300 each, plus six months stayed suspension against the cosmetology license upon issuance. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the cosmetology license will be suspended. Vice Chair Fincel seconded the motion and the motion passed unanimously.

SharpCuts Inc.; Atlantic Beach; Case No. 2010.036629

Ms. Brown-Blake requested that this case be pulled from the agenda.

Top Nails Tech and Jing Zhang; W. Palm Beach; Case Nos. 2010.048329 and 2010.048389

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the board impose a fine of \$800 and costs of \$254.77, to be paid over a period of six months, with the first payment of \$254.77 due within 30 days of the final order and five monthly payments of \$160 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Zorica Jankovic; Pompano Beach; Case No. 2010.060308

Ms. Brown-Blake requested that this case be pulled from the agenda.

Settlement Stipulations

American Nails and Thanh Mai; Vero Beach; Case Nos. 2010.054607 and 2010.061353

The Respondent was not present for the meeting. 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 and impose a fine of \$500 and costs of \$256.61, to be paid over a period of six months, with the first payment of \$256.61 due within 30 days of the final order and five monthly payments of \$100 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Deco Drive Beauty; W. Palm Beach; Case No. 2010.057646

Ms. Ali Eltahir was present for the meeting and was sworn in by the Court Reporter. 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 and impose a fine of \$500 and costs of \$122.71, to be paid over a period of six months, with the first payment of \$122.71 due within 30 days of the final order and five monthly payments of \$100 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Hair Xtacy & Barber Zone II and Sophia Watkins; N. Miami; Case Nos. 2010.027689 and 2010.062113

The Respondent was not present for the meeting. 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 and impose a fine of \$250 and costs of \$294.51, to be paid over a period of six months, with the first payment of \$294.51 due within 30 days of the final order and five monthly payments of \$50 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Jason Ratsma; Winter Park; Case No. 2011.000747

Mr. Ratsma was not present for the meeting. 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 and impose a fine of \$500 and costs of \$137.12, to be paid over a period of six months, with the first payment of \$137.12 due within 30 days of the final order and five monthly payments of \$100 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Khanh Hong Pham; St. Petersburg; Case No. 2010.020827

Mr. Pham was not present for the meeting. 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 and impose a fine of \$500 and costs of \$324.88, to be paid over a period of six months, with the first payment of \$324.88 due within 30 days of the final order and five monthly payments of \$100 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Lemon Squeeze Boutique; Case No. 2010.053480

Ms. Brown-Blake requested that this case be pulled from the agenda.

Maria Garcia, d/b/a Beauty Strategy; Coral Gables; Case No. 2011.002997

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the board reject the Stipulation of the parties. Ms. Lackey seconded the motion and the motion passed unanimously. The board proposed a counter offer of a fine of \$700 and costs of \$130.46, to be paid over a period of six months, with the first payment of \$130.46 due within 30 days of the final order and five monthly payments of \$140 each, plus six months stayed suspension against cosmetology salon license CE9961287. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license will be suspended.

Rose Nails Inc. and Cong Van Vo; Royal Palm Beach; Case Nos. 2010.055289 and 2010.061339

The Respondent was not present for the meeting. 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 and impose a fine of \$1,300 and costs of \$283, to be paid over a period of six months, with the first payment of \$283 due within 30 days of the final order and five monthly payments of \$260 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Top Nails; Marianna; Case No. 2010.055068

The Respondent was not present for the meeting. 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 and impose a fine of \$200 and costs of \$278.82, to be paid over a period of six months, with the first payment of \$278.82 due within 30 days of the final order and five monthly payments of \$40 each. Ms. Lackey seconded the motion and the motion passed unanimously.

US Nails and Huong B. Tran; N. Palm Beach; Case Nos. 2010.055902 and 2010.062103

The Respondent was not present for the meeting. 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 and impose a fine of \$500 and costs of \$242.77, to be paid over a period of six months, with the first payment of \$242.77 due within 30 days of the final order and five monthly payments of \$100 each. Ms. Lackey seconded the motion and the motion passed unanimously.

Department Attorney Report

Ms. Brown-Blake informed the board that as of September 28, 2011, there were 331 open cosmetology cases in the legal section.

Adjournment

There being no further business, the meeting was adjourned at approximately 1:35 p.m.

Tuesday, October 25, 2011

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
Laurel Ritenbaugh
Crystal Lackey

Board Members Absent

Monica Smith

Other Persons Present

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Rachel Clark, Assistant Attorney General, Office of the Attorney General (OAG)
Kathleen Brown-Blake, Assistant General Counsel, Office of the General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
Gus Ashoo, Bureau of Education and Testing (BET), DBPR
Alex Bosque, BET, DBPR
Sandie Sheppard, Court Reporter
Laquasha Jones
Richard Reynolds
Maria Gonzalez
Rimaji Maples
Karen Maples
Carolina Santiago
Metzly Hernandez
Sylvia Altiery
Ziamary Laboy Diaz
Denise Lopez
Fatima Zohra
Tabitha Lopez (sister-in-law)
Bonnie Poole, Florida Cosmetology Association

The meeting was opened with a roll call and a quorum was established. Chair Jowers excused Ms. Monica Smith's absence from the meeting.

Ms. Laurel Ritenbaugh moved to approve the minutes from the August 30-31, 2011, board meeting. Ms. Crystal Lackey seconded the motion and the motion passed unanimously.

Applications

Licensure Applications

Informal Hearings

Escarlin Acosta Acevedo / Puerto Rico

Ms. Robyn Barineau, Executive Director, noted that the licensure application was denied at the August 31, 2011, board meeting because he failed to demonstrate that he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Acevedo and Denise Lopez were present for the board meeting and were sworn in by Ms. Sandie Sheppard, Court Reporter. After review, Vice Chair Ginny Fincel moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Lackey seconded the motion and the motion passed unanimously.

Alla Anderson / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because she failed to demonstrate that she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Anderson was not present for the meeting. After review, Ms. Ritenbaugh moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Lackey seconded the motion and the motion passed unanimously.

Adialec Cruz / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because he failed to demonstrate that he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Mr. Cruz was not present for the meeting. After review, Ms. Ritenbaugh moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Eunice De La Rosa / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because she failed to demonstrate that she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. De La Rosa was not present for the meeting. After review, Ms. Lackey moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Soraya De Rolon / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because she failed to demonstrate that she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. De Rolon was not present for the meeting. After review, Ms. Ms. Lackey moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Victor Garcia / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because he failed to demonstrate that he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Mr. Garcia was not present for the meeting. After review, Ms. Lackey moved to uphold the denial based on

insufficient and/or inconsistent documentation demonstrating he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Laquasha Jones

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting based on the noted criminal history. Ms. Jones was present for the meeting and was sworn in by the Court Reporter. Vice Chair Fincel recused herself from voting on this matter. After review, Ms. Ritenbaugh moved to approve the application. Ms. Lackey seconded the motion and the motion passed unanimously.

Dwight Kelly / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because he failed to demonstrate that he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Mr. Kelly was not present for the meeting. After review, Ms. Lackey moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Lily C. La / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because she failed to demonstrate that she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. La was not present for the meeting. After review, Ms. Ritenbaugh moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Lackey seconded the motion and the motion passed unanimously.

Zaimary Laboy Diaz / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because he failed to demonstrate that he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Mr. Diaz was present for the meeting and was sworn in by the Court Reporter. After review, Ms. Lackey moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Ana M. Lima / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because she failed to demonstrate that she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Lima was not present for the meeting. After review, Vice Chair Fincel moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Tabitha Lopez / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because she failed to demonstrate that she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Lopez was not present for the meeting. After review, Ms. Lackey moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Maxima Melo / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because she failed to demonstrate that she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Melo was not present for the meeting. After review, Vice Chair Fincel moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Ernesto M. Ortiz / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because he failed to demonstrate that he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Mr. Ortiz was not present for the meeting. After review, Ms. Lackey moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Inocencia Ramirez / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because she failed to demonstrate that she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ramirez was not present for the meeting. After review, Vice Chair Fincel moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating she meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Islander Vazquez / Puerto Rico

Ms. Barineau noted that the licensure application was denied at the August 31, 2011, board meeting because he failed to demonstrate that he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Mr. Vazquez was not present for the meeting. After review, Ms. Ritenbaugh moved to uphold the denial based on insufficient and/or inconsistent documentation demonstrating he meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Initial Review

Sylvia Altiery Ramos / Puerto Rico

Ms. Altiery Ramos and Ms. Metzly Hernandez were present for the meeting and were sworn in by the Court Reporter. After review, Ms. Ritenbaugh moved to approve the application. Ms. Lackey seconded the motion and the motion passed unanimously.

Kim T. Buchanan / Puerto Rico

Ms. Buchanan was not present for the meeting. After review, Ms. Lackey moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Vice Chair Fincel seconded the motion and the motion passed with Ms. Ritenbaugh voting against the motion.

Dat T. Bui / Puerto Rico

Mr. Bui was not present for the meeting. After review, Ms. Lackey moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001,

Florida Administrative Code. Vice Chair Fincel seconded the motion and the motion passed with Ms. Ritenbaugh voting against the motion.

Lismarie Caladeron / Puerto Rico

Ms. Caladeron was not present for the meeting. After review, Ms. Ritenbaugh moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Lackey seconded the motion and the motion passed unanimously.

Yahaira L. Cardona / Puerto Rico

Ms. Cardona was not present for the meeting. After review, Ms. Lackey moved to approve the application. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Kristel Concepcion / Puerto Rico

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

Hector M. Cotto / Puerto Rico

Mr. Cotto was not present for the meeting. After review, Ms. Ritenbaugh moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Marina De La Cruz / Puerto Rico

Ms. De La Cruz was not present for the meeting. After review, Ms. Lackey moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Vice Chair Fincel seconded the motion and the motion passed with Ms. Ritenbaugh voting against the motion.

Magaly Diaz Figueroa / Puerto Rico

Ms. Figueroa was not present for the meeting. After review, Ms. Ritenbaugh moved to approve the application. Ms. Lackey seconded the motion and the motion passed unanimously.

Maria A. Gonzalez / Puerto Rico

Ms. Gonzalez was present for the meeting and was sworn in by the Court Reporter. After review, Ms. Ritenbaugh moved to approve the application. Ms. Lackey seconded the motion and the motion passed unanimously.

William E. Lozada / Puerto Rico

Mr. Lozada was not present for the meeting. After review, Ms. Ritenbaugh moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Lackey seconded the motion and the motion passed unanimously.

Rudy Ortiz / Puerto Rico

Mr. Ortiz was not present for the meeting. After review, Vice Chair Fincel moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Lackey seconded the motion and the motion passed unanimously.

Richard Reynolds

Mr. Reynolds and Ms. Marilyn Bentley were present for the meeting and were sworn in by the Court Reporter. After review, Vice Chair Fincel moved to approve the application. The board also imposed probation on the license to run concurrent with his criminal probation. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Huynh Huonh Thanh / Puerto Rico

Mr. Thanh was not present for the meeting. After review, Ms. Lackey moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Santa Y. Toledo / Puerto Rico

Ms. Toledo was not present for the meeting. After review, Ms. Lackey moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Tracey L. Willits / Illinois

Ms. Willits was not present for the meeting. After review, Ms. Lackey moved to approve the application. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Luz M. Yepes / Puerto Rico

Mr. Yepes was not present for the meeting. After review, Ms. Lackey moved to deny the application as the application contains inconsistent documentation and fails to demonstrate that the applicant meets the requirements of Section 477.019, Florida Statutes, and Rules 61G5-18.007 and/or 61G5-18.001, Florida Administrative Code. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Initial HIV/AIDS Courses

Initial Review

American Safety Council, Inc.

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

The Beauty Industry Council of the Florida Retail Federation

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

Continuing Education Provider and Course Applications

Initial Review

All Star Professional Training, Inc.

Course Application

Renewal for Florida Cosmetology – 16 Hours Internet

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

American Safety Council, Inc.

Course Application

16-Hour Course – 16 Hours Internet

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

American Safety Council, Inc.

Course Application

2-Hour HIV/AIDS Course – 2 Hours Internet

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

The Beauty Industry Council of the Florida Retail Federation

Course Application

16-Hour Course – 16 Hours Internet

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

The Beauty Industry Council of the Florida Retail Federation

Course Application

2-Hour HIV/AIDS Course – 2 Hours Internet

After review, Vice Chair Fincel moved to approve the application. Ms. Lackey seconded the motion and the motion passed unanimously.

Beauty and Health Institute

Course Application

16-Hour Continuing Education – 16 Hours Live Group Study/Home Study

After review, Ms. Ritenbaugh moved to deny the application based on outdated references, and references to the use of alcohol as a disinfectant. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Center for Beauty and Health Excellence, Inc.

Course Application

Common Skin, Scalp & Hair Disorders – 2 Hours Live Group Study /Internet/ Cosmetology Conference/Tradeshow

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

Center for Beauty and Health Excellence, Inc.

Course Application

Dermatitis: Allergic, Irritant & Atopic – 2 Hours Live Group Study /Internet/ Cosmetology Conference/Tradeshow

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

Center for Beauty and Health Excellence, Inc.

Course Application

Psychology of Beauty – 2 Hours Live Group Study/Cosmetology Conference/Tradeshow/Internet

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

The Esthetics Association Florida

Course Application

HIV/AIDS– 4 Hours Live Group Study/Internet

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

The Esthetics Association Florida

Course Application

Sanitation and Sterilization – 3 Hours Live Group Study/Internet

After review, Vice Chair Fincel moved to approve the application with the following contingency: strike all references to the use of alcohol as a disinfectant from the course outline. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

The Esthetics Association Florida

Course Application

Electro-Acupuncture Facial Rejuvenation Therapy & Chinese Face Mapping – 7 Hours Live Group Study/Internet

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

Applications for Body Wrapping Courses

Informal Hearing

Contour Body Works

Ms. Barineau noted that the application was denied at the August 31, 2011, board meeting, based on the course content being outside of the scope of practice of Florida Board of Cosmetology licensees. After review, Ms. Ritenbaugh moved to approve the application. Ms. Lackey seconded the motion and the motion passed unanimously.

Initial Review

Artis Beauty Academy of Florida

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

Desseri L. McCrary / Naturally Fierce LLC.

After review, Ms. Ritenbaugh moved to approve the application. Ms. Lackey seconded the motion and the motion passed unanimously.

Nadine A. Toriello

After review, Ms. Ritenbaugh moved to deny the application based on improper references to fat loss, references to the use of alcohol as a disinfectant, and references to formaldehyde. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Rasayana Organic Skincare

After review, Ms. Ritenbaugh moved to deny the application based on improper references to body slimming and cellulite. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Skin Geeks

After review, Ms. Ritenbaugh moved to deny the application based on the course content being outside of the scope of practice for a body wrapping registration, and references to the use of alcohol as a disinfectant. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Skinny Body Beauty Line

After review, Ms. Ritenbaugh moved to deny the application based on the course content being outside of the scope of practice for a body wrapping registration. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Beauty and Health Institute

After review, Ms. Ritenbaugh moved to approve the application with the following contingency: strike all references to the use of alcohol as a disinfectant from the course outline. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Lackey seconded the motion and the motion passed unanimously.

Applications for Hair Braiding Courses

Initial Review

Craftsmen Braiding

After review, Vice Chair Fincel moved to approve the application with the following contingency: strike all references to the use of alcohol as a disinfectant from the course outline. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Desseri L. McCrary / Naturally Fierce LLC.

After review, Ms. Ritenbaugh moved to approve the application. Ms. Lackey seconded the motion and the motion passed unanimously.

Mahaqni Sophisticated Looks

After review, Vice Chair Fincel moved to deny the application based on references to the use of phenols and alcohol as a sanitizer, and outdated reference materials. Ms. Lackey seconded the motion and the motion passed unanimously.

Miracles Barber & Beauty Academy

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

Natural Hair Reigns "N" Style Studio Designs

After review, Vice Chair Fincel moved to approve the application. Ms. Lackey seconded the motion and the motion passed unanimously.

Stitches, Lines & Designs Hair Braiding School

After review, Vice Chair Fincel moved to approve the application with the following contingency: strike all references to the use of alcohol as a disinfectant from the course outline. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Lackey seconded the motion and the motion passed unanimously.

Tim's Healthy Hair Care Center

After review, Ms. Ritenbaugh moved to deny the application based on references to the use of phenols and alcohol as a sanitizer, and the course content was outside of the scope of practice for the hair braiding registrants by performing hair extensions, and references to the use of tools that are outside of the scope of practice for the hair braiding registrants. Vice Chair Fincel seconded the motion and the motion passed unanimously.

JT's Beauty Shop

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

Ultimate Weave Express

After review, Ms. Ritenbaugh moved to approve the application with the following contingency: striking the word "wrapping" in the course outline and replacing it with "braiding". The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Lackey seconded the motion and the motion passed unanimously.

Unlimited Creation Braids Beauty & Barber

After review, Ms. Ritenbaugh moved to approve the application with the following contingency: correcting all grammatical and spelling errors in the course outline. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Vice Chair Fincel seconded the motion and the motion passed unanimously.

Applications for Hair Wrapping Courses

Initial Review

Braids By Sheka

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

Desseri L. McCrary / Naturally Fierce LLC.

After review, Ms. Ritenbaugh moved to approve the application with the following contingency: striking the word "braiding" in the course outline and replacing it with "wrapping". The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Lackey seconded the motion and the motion passed unanimously.

Mahaqni Sophisticated Looks

After review, Vice Chair Fincel moved to deny the application based on references to the use of phenols and alcohol as a sanitizer, and outdated reference materials. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Miracles Barber & Beauty Academy

After review, Ms. Ritenbaugh moved to approve the application with the following contingency: strike all references to hair braiding in the course outline. The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Lackey seconded the motion and the motion passed unanimously.

Ultimate Weave Express

After review, Ms. Ritenbaugh moved to approve the application with the following contingency: striking the word "braiding" in the course outline and replacing it with "wrapping". The correction must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Lackey seconded the motion and the motion passed unanimously.

New Business

Fiscal Year 2012-2013 Spending Plan Recommendations

Ms. Barineau noted that this information was included in the agenda for informational purposes.

Warning Notice from Department of Health and Human Services regarding Brazilian Blowout

The board discussed the warning information and will continue to monitor this issue. Ms. Barineau noted that the OSHA alert had been posted on the board's website.

Other Business

Executive Director's Report

Financial Report for Year Ending June 2011

Ms. Barineau reported that the balance in the board's operating account as of June 30, 2011, was over \$1.3 million, and the balance in their unlicensed activity account was over \$1.4 million for the same period.

National-Interstate Council (NIC) Newsletter July/August 2011

Ms. Barineau informed the board that the July/August NIC Newsletter was included in the agenda for informational purposes.

Florida Board of Cosmetology Newsletter – August 2011

Ms. Barineau informed the board that the Board of Cosmetology Newsletter was included in the agenda for informational purposes.

Regulation Report

Complaints and Investigative Statistics – July 2011 – August 2011

Ms. Barineau informed the board that the complaints and investigative statistics report was included in the agenda for informational purposes.

Bureau of Education and Testing

Cosmetology Examination Summary – January 2011 – September 2011

Ms. Barineau informed the board that the cosmetology examination summary was included in the agenda for informational purposes.

Mr. Gus Ashoo and Mr. Alex Bosque, Bureau of Education and Testing, provided the board with a handout regarding services offered to them by BET. They thanked the board for the opportunity to work with them and offered their assistance regarding their testing and continuing education needs.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 2:00 p.m.