

MINUTES

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

Monday, October 14, 2019 9:00 a.m.

GENERAL BUSINESS MEETING

The Board of Cosmetology meeting was called to order at approximately 9:03 a.m., by Ms. Rhonda Griffis, Chair.

Board Members Present

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

Board Members Absent

Stephania Streit (excused)

Other Persons Present

Krista Woodard, Executive Director, Department of Business and Professional Regulation (DBPR)
Lynette Norr, Assistant Attorney General, Office of the Attorney General
Crystal Stephens, Assistant General Counsel, Office of the General Counsel, DBPR
Michelle LaBoissire
Michael McMahon
Jackeline Matos
Vinh Tran
JoAnne Francis
James Francis
Cheri Lofton
Sunny Moroz
Chantal Raynard
George Raynard
Manuel Atwood
Janice Greco
Darian Jackson
Beth Reed

The meeting was opened with a roll call and a quorum was established. The Board moved to excuse the absence of Ms. Streit from today's meeting.

II. DISCIPLINARY MATTERS

A. Informal Hearing

Ms. Stephens presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint and timely filed responses in these matters but failed to dispute any allegations of material facts as alleged in the Administrative Complaints. The Board moved to accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the Board and imposed the penalty shown below:

- 1. Beauty Gallery Spa Salon, Inc.; Kissimmee; Case No.: 2019-019370**

\$500 fine and \$169.26 costs to be paid within six months

2. **LSNail & Spa; Pompano Beach; Case No.: 2019030727**
\$500 fine and \$182.24 costs to be paid within six months
3. **Hollywood Salon & Barber at St Lucie; Port St Lucie; Case No.: 2019-015159**
\$500 fine and \$169.26 costs to be paid within six months
4. **Cheri A. Lofton; Port St Lucie; Case No.: 2019-020375**
Case was dismissed.
5. **MK Beauty Salon, LLC; Miramar; Case No.; 2019-014488**
\$500 fine and \$76.97 costs to be paid within six months
6. **K & K Beauty Bar; Palm Beach Gardens; Case No.: 2019-000621**
\$500 fine and \$147.72 costs to be paid within six months

B. Motion for Informal Hearing

Ms. Stephens presented the following case for consideration by the Board. The Board found that the Respondent was properly served with the Administrative Complaint and timely filed a response in this matter but failed to dispute any allegations of material facts as alleged in the Administrative Complaint. The Board moved to accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the Board and imposed the penalty shown below:

1. **Fifth Avenue Salon; Pace; Case No.: 2019-019144**
\$700 fine and \$188.32 costs to be paid within six months

C. Election of Waiver of Rights and Final Order

Ms. Stephens presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, and have elected to waive their rights to a hearing in these matters. The Board moved to accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

1. **Fancy Nails Salon; Sarasota; Case No.: 2019-018748**
\$500 fine and \$110.94 costs to be paid within six months
2. **Happy Nails II; Sarasota; Case No.: 2019-014475**
\$500 fine and \$105.72 costs to be paid within six months
3. **Fancy Nails; Crestview; Case No.: 2019-009842**
\$100 fine and \$129.05 costs to be paid within six months
4. **Fancy Nails; Crestview; Case No.: 2019-019129**
\$500 fine and \$161.82 costs to be paid within six months
Suspension of license CE 9968351 until successful passage of re-inspection

D. Motion for Waiver of Rights and Final Order

Ms. Stephens presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, and have elected to waive their rights to a hearing in these matters. The Board moved to accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

1. **City Nails; Palm City; Case No.: 2019-012773**
\$500 fine and \$151.71 costs to be paid within six months
2. **Yen Thi Van; Palm City; Case No.: 2019-017880**
\$500 fine and \$151.71 costs to be paid within six months
3. **Big D One Stop, Inc.; Lauderdale Lakes; Case No.: 2019-020138**
\$300 fine and \$82.19 costs to be paid within six months
Suspension of license CE 9968954 until successful passage of re-inspection
4. **Lovely Nails of Jupiter; Jupiter; Case No.: 2019-010351**
\$950 fine and \$200.72 costs to be paid within six months
Suspension of license CE 9979126 until successful passage of re-inspection
5. **Oxygenix Hair & Nail Spa; Jupiter; Case No.: 2019-010345**
\$900 fine and \$217.05 costs to be paid within six months
6. **Ngoc Thanh Hoang Le; Jupiter; Case No.: 2019-013157**
\$150 fine and \$151.71 costs to be paid within six months
7. **Dora 95th Palace & Boutique; Miami; Case No.: 2019-018408**
\$300 fine and \$90.20 costs to be paid within six months
Suspension of license CE 10009856 until successful passage of re-inspection
8. **(KKK) Krispy Klean Kutz; Lauderdale Lakes; Case No.: 2019-012064**
Continued to future meeting for further investigation
9. **Diamond Nails, West Palm Beach; Case No.: 2019-000345**
\$150 fine and \$168.05 costs to be paid within six months
10. **HOF of Miami Beach, Inc.; Miami Beach; Case No.: 2019-006461**
\$450 fine and \$65.16 costs to be paid within six months
11. **Thomas Vasquez; Coral Springs; Case No.: 2018-060989**
\$500 fine and \$190.79 costs to be paid within six months
Revocation of license CL 1274522

E. Settlement Stipulations

Ms. Stephens presented the following cases for consideration by the Board. The Board moved to adopt the Settlement Stipulations of the parties as the Board's final action in these matters and incorporate them and all of its terms into Final Orders and imposed the penalties shown below:

1. **Le Bazaar; Palm Beach; Case No.: 2019-028863**
\$500 fine and \$124.48 costs to be paid within six months
2. **Hair Express; West Palm Beach; Case No.: 2019-014181**
\$500 fine and \$135.38 costs to be paid within six months

3. **Spa Atlantic; Fort Lauderdale; Case No.: 2019-018066**
\$450 fine and \$85.39 costs to be paid within six months
4. **Q Nails & Co.; Vero Beach; Case No.: 2019-007955**
\$500 fine and \$168.05 costs to be paid within six months
5. **Opal Audrey Lampley; Miramar; Case No.: 2019-015155**
\$500 fine and \$82.19 costs to be paid within six months
6. **Destiny Beauty Salon; Miramar; Case No.: 2019-015147**
\$200 fine and \$82.19 costs to be paid within six months
7. **Lovely Nails III; Fort Lauderdale, Case No.: 2019-012029**
\$500 fine and \$90.20 costs to be paid within six months
8. **T & L Fashion Hair; Orlando; Case No.: 2018-054987**
\$500 fine and \$366.28 costs to be paid within six months
9. **Man Thi Nguyen; Royal Palm Beach; Case No.: 2019-017891**
\$500 fine and \$146.49 costs to be paid within six months

III. DEPARTMENT ATTORNEY REPORT – Crystal Stephens

Ms. Stephens informed the Board that as of September 10, 2019, there were 35 public cases and 12 private barber cases in the legal section.

IV. CONTINUING EDUCATION APPLICATIONS

A. Hair Braiding Courses

Initial Review

1. **Dandelion Boutique & Consignment – Classroom**
After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.
2. **PI Beauty Academy – Classroom**
After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.
3. **Florida Academy – Classroom**
After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.
4. **Brunson and Wright Beauty Shop – Classroom**
After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.
5. **Immaculate Winks LLC/ Immaculate Beauty – Classroom**
After review, the Board moved to approve the course with the following contingencies:
The out of scope content must be stricken from the course materials; the course content contains references to outdated MSDS (Materials Safety Data Sheets), which need to be

updated to SDS (Safety Data Sheets); all references and sources need to be updated to ensure that the most recent sources are cited; slang terms and references shall be removed and reworded; and remove references to, and photos of, brand names. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

6. RTBT Beauty, LLC – Classroom

After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.

7. Hair Junky Beauty Bar – Classroom

After review, the Board moved to approve the course with the following contingencies: the Milady reference needs to be updated; correction of formatting errors; and slang or street terminology needs to be removed and reworded. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

8. Florida Cosmetology Education – Classroom

After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.

9. Florida Cosmetology Education – Internet

After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.

10. Bellature Beauty Bar – Internet

After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.

B. Hair Wrapping Courses

Initial Review

1. Immaculate Winks LLC/ Immaculate Beauty – Classroom

After review, the Board moved to approve the course with the following contingencies: Out of scope content must be stricken from the course materials. In addition, the course description says “braiding” and needs to be changed to “wrapping”; the course content contains references to outdated MSDS (Materials Safety Data Sheets), which need to be updated to SDS (Safety Data Sheets); all references and sources need to be updated to ensure that the most recent sources are cited; slang terms and references shall be removed and reworded; and remove references to, and photos of, brand names. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

2. Florida Cosmetology Education – Internet

After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.

3. Florida Cosmetology Education – Classroom

After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004, F.A.C.

C. Body Wrapping Course

Initial Review

1. Aesthetically Dynamic – Classroom

After review, the Board moved to approve the course with the following contingencies: Because the course presents improper disinfection procedures including references to the use of alcohol, phenols, and/or formaldehyde, these references must be corrected or stricken from the course materials and the course content contains references to outdated MSDS (Materials Safety Data Sheets), which need to be updated to SDS (Safety Data Sheets). The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

D. Continuing Education Courses

Initial Review

1. Cinderella Hair Extensions - Classic Hair Extensions 16 Hour - Classroom

After review, the Board moved to deny the course because the course is product-driven, which is prohibited by Rule 61G5-32.001(7)(k), Florida Administrative Code.

2. Cinderella Hair Extensions – Cinderella Hair I-Hair & T-Hair Extensions 8 Hour - Classroom

After review, the Board moved to deny the course because the course is product-driven, which is prohibited by Rule 61G5-32.001(7)(k), Florida Administrative Code.

3. JoAnn Francis Medical Esthetics – Advanced Esthetician Course 24 Hour - Classroom

Ms. JoAnn Francis was present and sworn in by the court reporter. Ms. Francis asked to withdraw this application. The board approved her request for withdrawal.

4. Beauty and Health Institute – 16 Hour Continuing Education – Internet

After review, the Board moved to approve the course.

5. Beauty Industry Council of the Florida Retail Federation – HIV/AIDS 2 Hour – Internet

After review, the Board moved to approve the course.

6. Beauty Industry Council of the Florida Retail Federation – 16 Hour Continuing Education – Internet

After review, the Board moved to approve the course with the following contingencies: Out of scope references to electrolysis, shaving, and barbering need to be stricken and all references and sources need to be updated to ensure that the most recent sources are cited. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

7. American Safety Council – 16 Hour Continuing Education – Internet

After review, the Board moved to approve the course.

8. American Safety Council – HIV/AIDS 2 Hour – Internet

After review, the Board moved to approve the course.

9. Polished By TC – 16 Hour Continuing Education – Correspondence

After review, the Board moved to deny the course because the course content contains references to activities or procedures that are not within the stated scope of a Florida

cosmetology license as afforded by Section 477.013(4), Florida Statutes, and the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.

- 10. ASM Beauty World Academy, Inc. – 16 Hour Continuing Education – Internet**
After review, the Board moved to deny the course because the course content contains references to activities or procedures that are not within the stated scope of a Florida cosmetology license as afforded by Section 477.013(4), Florida Statutes, and the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.
- 11. ASM Beauty World Academy, Inc. – 16 Hour Continuing Education – Classroom**
After review, the Board moved to deny the course because the course content contains references to activities or procedures that are not within the stated scope of a Florida cosmetology license as afforded by Section 477.013(4), Florida Statutes, and the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.
- 12. ASM Beauty World Academy, Inc. – 16 Hour Continuing Education – Correspondence**
After review, the Board moved to deny the course because the course content contains references to activities or procedures that are not within the stated scope of a Florida cosmetology license as afforded by Section 477.013(4), Florida Statutes, and the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.
- 13. Monique Cosmetique, Inc. – Facial, Nail & Full Specialist – 16 Hour CE – Correspondence**
After review, the Board moved to approve the course.
- 14. Monique Cosmetique, Inc. – Facial, Nail & Full Specialist – 16 Hour CE – Internet**
After review, the Board moved to approve the course.
- 15. Beauty Academy – Florida Cosmetology Essentials – 16 Hour – Internet**
After review, the Board moved to deny the course because the course content contains references to activities or procedures that are not within the stated scope of a Florida cosmetology license as afforded by Section 477.013(4), Florida Statutes, and the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.
- 16. Beauty Academy – Florida Cosmetology Essentials – 16 Hour – Correspondence**
After review, the Board moved to deny the course because the course content contains references to activities or procedures that are not within the stated scope of a Florida cosmetology license as afforded by Section 477.013(4), Florida Statutes, and the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.
- 17. PostQuam USA, Inc. – 16 Hour Continuing Education – Classroom**
After review, the Board moved to approve the course with the following contingencies: The course content contains references to outdated MSDS (Materials Safety Data Sheets), which need to be updated to SDS (Safety Data Sheets). The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.
- 18. PostQuam USA, Inc. – HIV/AIDS 2 Hours – Classroom**

After review, the Board moved to approve the course.

19. Aesthetics International Association – Wellness: The New Way to Look and Feel Fabulous – 1 Hour – Classroom

After review, the Board moved to approve the course.

20. Aesthetics International Association – Mixing Modalities: Combining Therapies to Get the Most Out of Every Treatment – 1 Hour – Classroom

After review, the Board moved to deny the course because the course content contains references to activities or procedures that are not within the stated scope of a Florida cosmetology license as afforded by Section 477.013(4), Florida Statutes, and the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.

21. Aesthetics International Association – The Lingo of Laser: Understanding Laser Resurfacing and Its Use in Aesthetics – 1 Hour – Classroom

After review, the Board moved to deny the course because the course content contains references to activities or procedures that are not within the stated scope of a Florida cosmetology license as afforded by Section 477.013(4), Florida Statutes, and the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.

22. Beyond Beauty Education, LLC – Skin Typing and Aging Analysis – 6 Hour – Classroom

After review, the Board moved to approve the course with the following contingencies: Correction of grammar, formatting, and/or spelling errors; and in presentation of the Fitzpatrick skin type, the statement that black skin “does not burn” needs to be qualified by including the phrase “as rapidly.” The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

23. Beyond Beauty Education, LLC – Hormones and the Skin – 6 Hour – Classroom

After review, the Board moved to approve the course.

24. Florida Cosmetology Education – HIV/AIDS – 2 Hours – Classroom

After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.

25. Florida Cosmetology Education – HIV/AIDS – 2 Hours – Internet

After review, the Board moved to deny the course because the course does not meet the standards required for Board approval pursuant to Rule 61G5-32.001(7), Florida Administrative Code.

26. @Home Prep – A Division of Stautzenberger College

a. HIV/AIDS 2 Hours – Internet

After review, the Board moved to approve the course with the following contingencies: The HIV Attitude 5th bullet referencing punishment shall be removed. Also, the slide discussing the requirement to be free of infectious disease shall be removed. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

- b. Workers' Compensation – 3 Hour – Internet**
After review, the Board moved to approve the course.
- c. OSHA – 2 Hour – Internet**
After review, the Board moved to approve the course.
- d. Sanitation and Sterilization – 3 Hour – Internet**
After review, the Board moved to approve the course.
- e. Laws and Rules – 3 hour – Internet**
After review, the Board moved to approve the course with the following contingencies: Correction of grammar, formatting, and/or spelling errors and the laws and rules shall be updated and current. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.
- f. Chemical Makeup – 2 Hour – Internet**
After review, the Board moved to approve the course.
- g. Environmental Issues – 1 Hour – Internet**
After review, the Board moved to approve the course.
- h. 16 Hour Continuing Education - Internet**
After review, the Board moved to approve the course with the following contingencies: The course materials must state in accordance with Section 477.0265(1)(g), Florida Statutes, that the use or possession of a cosmetic product containing any trace of methyl methacrylate (MMA) is completely prohibited in the state of Florida; the HIV Attitude 5th bullet referencing punishment shall be removed and the slide discussing the requirement to be free of infectious disease shall be removed; correction of grammar, formatting, and/or spelling errors; and the laws and rules shall be updated and current. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval

E. Initial HIV/AIDS

Initial Review

- 1. PI Beauty Academy – Classroom**
After review, the Board moved to deny the course because the course content contains references to activities or procedures that are not within the stated scope of a Florida cosmetology license as afforded by Section 477.013(9), Florida Statutes, and the course does not meet the standards required for Board approval pursuant to Rule 61G5-31.004(1), Florida Administrative Code.
- 2. Ga La Car Beauty & Hair Workshops - Internet**
After review, the Board moved to approve the course.

V. PETITION FOR DECLARATORY STATEMENT

A. Shynell Romero – DS 2019-061

Based on the foregoing statutes, the Board is of the opinion that, as described by the facts, the Petitioner may perform full body waxing and sugaring, including all sensitive areas, without such acts constituting a violation of Section 477.029(1) or Section 455.227(1), Florida Statutes. The Board's response to this petition answers only the question propounded by the Petitioner and only addresses the specific issue and facts set forth in the Petition. The Board's

conclusion is based solely on the Board's application of the factual circumstances outlined in the Petition to the pertinent statutory provisions set forth above.

VI. RECESS

There being no further business to come before the Board, the meeting recessed at approximately 1:56 p.m.

MINUTES

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

Tuesday, October 15, 2019 9:00 a.m.

GENERAL BUSINESS MEETING

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

Board Members Present

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

Board Members Absent

Stephania Streit (excused)
Adrienne Harvey (excused)

Other Persons Present

Krista Woodard, Executive Director, Department of Business and Professional Regulation (DBPR)
Lynette Norr, Assistant Attorney General, Office of the Attorney General
Crystal Stephens, Assistant General Counsel, Office of the General Counsel, DBPR
Rebecca Clark
Katherine Duncan
Amanda Sikes
Nicole Wilfinger
Jacob Stotler
Kristen Marozzi
Nasheka Medley
Shajuana Hart

The meeting was opened with a roll call and a quorum was established. The Board moved to excuse the absence of Ms. Harvey and Ms. Streit from today's meeting.

II. APPROVAL OF BOARD MEETING MINUTES

- A. April 8-9, 2019 – General Business Meeting**
- B. July 22-23, 2019 – General Business Meeting**

The Board approved the minutes from the April 8-9, 2019 and July 22-23, 2019 Board meetings.

III. APPLICATIONS

- A. Hearings Pursuant to Section 120.569, Florida Statutes – appearances via telephone conference call**

- 1. Crystal Addison**

Ms. Addison was not present for the meeting. After discussion, the Board determined that it did not have sufficient information due to lack of testimony by the applicant, to overturn the denial. The Board voted to SUSTAIN the Notice of Intent to Deny, and DENY the application for cosmetology license.

2. Amanda Alexander

Ms. Alexander was not present for the meeting. After discussion, the Board determined that it did not have sufficient information due to lack of testimony by the applicant, to overturn the denial. The Board voted to SUSTAIN the Notice of Intent to Deny, and DENY the application for cosmetology license.

3. Rebecca Clark

Ms. Clark was present via telephone conference call and answered questions from the board. After discussion, the Board OVERTURNED the Notice of Intent to Deny and APPROVED the Application. The Board also imposed probation on the license to run concurrent with her criminal probation.

4. Katherine Duncan

Ms. Duncan was present via telephone conference call and answered questions from the board. After discussion, the Board OVERTURNED the Notice of Intent to Deny and APPROVED the Application. The Board also imposed probation on the license to run concurrent with her criminal probation.

5. Amanda Sikes

Ms. Sikes was present via telephone conference call and answered questions from the board. After discussion, the Board OVERTURNED the Notice of Intent to Deny and APPROVED the Application. The Board also imposed probation on the license to run concurrent with her criminal probation.

B. INITIAL REVIEW

1. Talented Handz Beauty Salon, Inc.

The Board moved to deny the application due to failure to comply with rule 61G5-20.002(2)(c) requiring salons to meet specified safety requirements and maintain those requirements in full force and effect for the life of the salon; and/or Section 477.029(1)(h), Florida Statutes, through violation of Section 477.0265(1)(b)2., Florida Statutes, by permitting a person or persons without a license or registration to perform cosmetology services or any specialty in a salon.

2. Marta Arlia

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

3. Mario Bailo

Mr. Bailo was not present for the meeting. After review and discussion, the Board moved to approve the application.

4. Lynnette Dawn Ball

Ms. Ball was not present for the meeting. After review and discussion, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

5. Taylor Blocklin

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

6. Ynessa Denise Brown

Ms. Brown was not present for the meeting. After review and discussion, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

7. Paola Michelle Cabezas

The Board moved to deny the application due the applicant violating Section 477.029(1)(e), Florida Statutes, by submitting to the Department a forged or falsified certification of education required for a Cosmetology license or specialty registration in the state of Florida.

8. Barbara Caceras

The Board moved to deny the application due the applicant violating Section 477.029(1)(e), Florida Statutes, by submitting to the Department a forged or falsified certification of education required for a Cosmetology license or specialty registration in the state of Florida.

9. Toni Lasane Corker

Ms. Corker was not present for the meeting. After review and discussion, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

10. Yanet Duenas Quintana

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

11. Niurka Estevez Diaz

The Board moved to deny the application due the applicant violating Section 477.029(1)(e), Florida Statutes, by submitting to the Department a forged or falsified certification of education required for a Cosmetology license or specialty registration in the state of Florida.

12. Marlo Felton Moore

The Board moved to deny the application due the applicant having a criminal case pending for two counts of aggravated assault with a firearm. Conviction of aggravated assault with a firearm or similar violent offense against persons presents a danger to the public and is a crime related to the practice of cosmetology.

13. Norma Gold

Ms. Gold was not present for the meeting. After review and discussion, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

14. Camilla Vanessa Gonzalez

Ms. Gonzalez was not present for the meeting. After review and discussion, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

15. Angela Lynn Graff

Ms. Graff was not present for the meeting. After review and discussion, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

16. Rainelys Hernandez Cuesta

The Board moved to deny the application due the applicant violating Section 477.029(1)(e), Florida Statutes, by submitting to the Department a forged or falsified certification of education required for a Cosmetology license or specialty registration in the state of Florida.

17. Brooke Jordan Jones

The Board moved to deny the application due the applicant violating Section 477.029(1)(h), Florida Statutes, by being convicted of a crime or crimes which relate to the practice of cosmetology in violation of Section 455.227(1)(c), Florida Statutes.

18. Jessilyn Mariah Jones

Ms. Jones was not present for the meeting. After review and discussion, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

19. Tangela Lawson Brown

Ms. Brown was not present for the meeting. After review and discussion, the Board moved to approve the application. The Board also imposed probation on the license to run concurrent with her criminal probation.

20. Tamara Selina Lockley

The Board moved to deny the application due the applicant violating Section 477.029(1)(h), Florida Statutes, by being convicted of a crime or crimes which relate to the practice of cosmetology in violation of Section 455.227(1)(c), Florida Statutes.

21. Lisandra Lopez Garcia

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

22. Kristen A. Marozzi

Application was pulled from review and discussion by the Board office.

23. Amanda Morales

The Board moved to deny the application due the applicant violating Section 477.029(1)(e), Florida Statutes, by submitting to the Department a forged or falsified certification of education required for a Cosmetology license or specialty registration in the state of Florida.

24. Heather Lynn Morin

The Board deemed this application incomplete and asked that it be referred back to the Department for further information.

25. Kathy Marie Navarro

The Board moved to deny the application due the applicant violating Section 477.029(1)(h), Florida Statutes, by being convicted of a crime or crimes which relate to the practice of cosmetology in violation of Section 455.227(1)(c), Florida Statutes.

26. Tam Minh Nguyen

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

27. Nhung Pham

The Board moved to deny the application due to the applicant violating Sections 477.029(1)(e) and (h) and 455.227(1)(f) and (h), Florida Statutes and the applicant does not meet the cosmetology licensure requirements set forth in Section 477.019, Florida Statutes.

28. Joanna Iris Rivera

The Board moved to deny the application due the applicant violating Section 477.029(1)(h), Florida Statutes, by being convicted of a crime or crimes which relate to the practice of cosmetology in violation of Section 455.227(1)(c), Florida Statutes.

29. Yelitza J. Santollo Campero

The Board moved to deny the application due the applicant violating Section 477.029(1)(e), Florida Statutes, by submitting to the Department a forged or falsified certification of education required for a Cosmetology license or specialty registration in the state of Florida.

30. Carolyn Radeyna Sosa

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

31. Kenney Anh Truong

The Board moved to deny the application due to the applicant violating Sections 477.029(1)(a), (e), and (h) and 455.227(1)(f) and (h), Florida Statutes and the applicant does not meet the requirements set forth in Rule 61G5-29.011(3), F.A.C.

32. Arcelis Ulloa

The Board moved to deny the application due the applicant violating Section 477.029(1)(e), Florida Statutes, by submitting to the Department a forged or falsified certification of education required for a Cosmetology license or specialty registration in the state of Florida.

33. Nicole Wilfinger

Ms. Wilfinger was present for the meeting. After review and discussion, the Board moved to approve the application.

IV. REPORTS

A. Executive Director – Krista Woodard

1. Financial Report for Period Ending June 30, 2019

Ms. Krista Woodard, Executive Director, reported that the balance in the Board's operating account as of June 30, 2019, was over \$7.3 million, and the balance in the unlicensed activity account was over \$3.6 million.

2. Section 455.213(3), F.S. – General Licensing Provisions

a. HB 7125

Ms. Woodard advised that she would bring a detailed report of any changes regarding HB 7125 to the January 2020 meeting.

B. Board Attorney Report – Lynette Norr

1. October 2019 Rules Status Report

Ms. Norr informed that the October 2019 Rules Report was included in the agenda materials.

2. Rule 61G7-25.004 (NEW) Null and Void Status

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.

61G5-25.004 Null and Void Status.

The Null and Void status licensee who applies for active or inactive status shall apply to the Department by submitting Form DBPR COSMO 7 Application for License/Registration from Null and Void (Expired License/Registration), incorporated by rule 61-35.011, F.A.C. Rulemaking Authority 455.271(6)(a), 477.016(1) FS. Law Implemented 455.271(6)(a), 477.019, 477.0201 FS. History–New

3. Rule 61G7-32.001, F.A.C. – Continuing Education

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.

61G5-32.001 Continuing Education

(1) Prior to the expiration of each biennial licensure period, and as a condition for renewal of their cosmetology license or specialty registration, all licensed cosmetologists and registered specialists shall complete a minimum of ~~ten (10)~~ ~~sixteen (16)~~ hours of continuing education which shall include, at a minimum, all of the following subjects as they relate to the practice of cosmetology:

(a) A minimum of ~~one (1)~~ ~~two (2)~~ hours of instruction regarding HIV/AIDS and other communicable diseases which shall consist of:

1. Education on the modes of transmission, infection control procedures, clinical management, and prevention of HIV and AIDS; and
2. Discussion of attitudes towards HIV and AIDS as well as appropriate behavior in dealing with persons who may have the virus or syndrome.

(b) A minimum of ~~three (3)~~ hours of instruction regarding sanitation and sterilization which shall consist of instruction regarding:

1. Standard cleaning and disinfecting precautions, including;
2. How to distinguish between disinfectants and antiseptics,
3. How to sanitize hands and disinfect tools used in the practice of cosmetology; and
4. Bacterial, viral, and fungal, bloodborne pathogens and parasites, and infection and infestation control.

(c) A minimum of ~~one-half (.5)~~ ~~one (1)~~ hour of instruction regarding Occupational Safety and Health Administration regulations.

(d) A minimum of ~~one-half (.5)~~ ~~one (1)~~ hour of instruction regarding issues of workers' compensation as they pertain to Florida law.

(e) A minimum of ~~two (2)~~ hours of instruction regarding state and federal laws and rules as they pertain to cosmetologists, cosmetology, salons, specialists, specialty salons, and booth renters; specifically including but not limited to Chapter 477, F.S., and the Rules of the Board. At a minimum this instruction shall include the following:

1. The laws and rules of the Board that protect the health, safety, and welfare of the consumer;
2. The laws and rules of the Board that determine where and when individuals may legally practice cosmetology and specialties;
3. The functions of the Board of Cosmetology, how its members are appointed, and their duties;
4. The laws and rules of the Board which specify prohibited conduct, and the penalties for failure

to follow the laws and rules;

5. Salon requirements and inspections; and

6. The dates, fees, and requirements for renewal of cosmetology licenses, salon licenses, and specialty registrations.

(f) A minimum of one (1) ~~two (2)~~ hours of instruction regarding chemical makeup as it pertains to hair, skin, and nails.

(g) A minimum of one (1) hour of instruction regarding environmental issues.

(h) A minimum of one (1) ~~four (4)~~ hours of continuing education to be composed of additional instruction in any of the subjects set forth above or such other subject or subjects as the licensee may choose provided that the subject or subjects chosen relate to the practice of cosmetology and serve to ensure the protection of the public; and, provided that the course in which such subjects are taught has been approved by the Board prior to its being taught for continuing education purposes, and provided the licensee or registrant has not previously taken the course during the current licensure period.

(2) Home study courses, video courses, and courses which are given at cosmetology conferences may be counted toward the required hours of continuing education provided that, prior to their being taught, they have been approved by the Board as including instruction in subjects as set forth by this rule and as complying with all other requirements as set forth in this rule.

(3) All continuing education home study courses shall include a written post-course examination which must be graded by the course provider. Post-course examinations may be open-book examinations. In order to receive continuing education credit for the course, licensees or registrants must achieve a 75% passing score on all post-course examinations.

(4) All licensees and registrants who successfully complete a continuing education course shall be provided with a certificate of completion by the provider of the continuing education course which shall indicate the provider's name and provider number, the course title and course number, the licensee's or registrant's name and license or registration number, the date the course was completed, and the total number of hours successfully completed in each subject covered by the continuing education course. All licensees and registrants shall retain the certificate of completion for all continuing education courses successfully completed by the licensee or registrant for a period of not less than three (3) years following the first license or registration renewal following the completion of the course.

(5) Licensees holding two or more licenses subject to the HIV/AIDS education course requirement shall present all license numbers to the provider of such course.

(6) PROVIDER APPROVAL AND REQUIREMENTS.

(a) All providers of continuing education courses must be approved by the Board prior to offering continuing education courses. All individuals or organizations seeking to be approved as a continuing education provider shall submit to the Department, or if the Department shall contract with a private entity to administer the continuing education program then to such private entity, no later than 60 days prior to the next scheduled Board meeting at which the application is to be considered for approval. A complete application for continuing education provider status shall consist of the following items and information:

1. A completed application on a form prescribed by the department copies of which may be obtained from the Board office.

2. A fee of \$250; and

3. A sample copy of the certificate of completion which the provider shall supply to all licensees or registrants who successfully complete courses given by the provider. The certificate of completion shall indicate on its face areas for the inclusion of the information as required by paragraph (6)(d) of this rule.

(b) Upon approval by the Board of the individual or organization as a continuing education provider, a continuing education provider number will be assigned to the provider; and, shall be included in all future correspondence or submissions by the provider to the Board, the Department, or any private entity contracted with by the Department to administer the continuing education program.

(c) Once the Department shall contract with a private entity to administer the continuing education program, then for each continuing education course taught, all continuing education providers shall submit to such private entity, a list of all attendees successfully completing the continuing education

course within 21 days of the completion of the course. The list shall include the provider's name and provider number, the course title and course number, the licensee's or registrant's name and license or registration number, the date the course was completed, and the total number of hours successfully completed in each subject covered during the continuing education course. For home study courses offered by a continuing education provider, the provider shall supply the name and license or registration number for each individual successfully completing the course within 21 days following the determination by the provider that the individual has successfully completed the home study course together with the provider's name and provider number, the home study course title and course number, and the date the course was completed. All lists and information shall be provided to the private entity in such form as determined by private entity.

(d) All continuing education providers shall provide a certificate of completion to all licensees and registrants who successfully complete a continuing education course which shall indicate on the certificate's face the provider's name and provider number, the course title and course number, the licensee's or registrant's name and license or registration number, the date the course was completed, and the total number of hours successfully completed in each subject covered by the continuing education course.

(e) Continuing education providers shall electronically provide to the Department the list of attendees at each of its offered courses within 30 business days of the completion of the course. However, the continuing education provider shall electronically report to the Department completion of a licensee's course within 10 business days beginning on the 30th day before the renewal deadline or prior to the renewal date, whichever occurs sooner. For home study courses, the provider shall electronically supply the list of those individuals successfully completing the course by the 5th of the month following the calendar month in which the provider received documentation and was able to determine the successful completion of the course by the individual. This list shall include the provider's name and provider number, the name and license or registration number of the attendee, the date the course was completed, and the course number. All documents from the provider shall be submitted electronically to the Department and must be in a form as agreed to by the Department with the provider. Failure to comply with the time and form requirements will result in disciplinary action taken against the provider and the course approval. Each continuing education provider shall maintain records of attendance or completion for all continuing education courses offered or taught by the provider for a period of not less than four years following the offering of each course or the receipt of documentation of completion of a home study course. Upon request, these records shall be made available for inspection by the Department or its agent, or the private entity contracted with by the Department to administer the continuing education program at such reasonable time and location as determined by the Department or its agent, or the private entity. The list of attendees submitted electronically to the Department shall not include the names of applicants taking the course for initial licensure pursuant to Rule 61G5-18.011, F.A.C.

(f) If the Department contracts with a private entity to administer the continuing education program, all continuing education providers shall submit all required forms and information, and shall pay all required fees directly to the private entity.

(g) Approval as a continuing education provider shall be valid through May 31 of odd numbered years for all providers. After the expiration of a continuing education provider's approval, the provider shall not offer or teach any continuing education courses for credit toward the required hours of continuing education until the provider has renewed its approval as a continuing education provider.

(h) Any substantive changes regarding the information contained in the provider's application for approval, or previously submitted by the provider to the Department or to a private entity contracted with by the Department to administer the continuing education program, shall be filed with the Department, or if the Department shall contract with a private entity to administer the continuing education program then with such private entity, within 30 days of the change occurring.

(i) At any time, the Board shall recommend to the Department to revoke its approval of a continuing education provider if it finds that such approval is sought or was received by fraud or misrepresentation by the provider, the provider has failed to adhere to the standards and other requirements as set forth in this rule or Section 455.2178, Florida Statutes, or that the provider has engaged in fraudulent behavior relating to the provision of continuing education. Before requesting

that the Department revoke a provider's continuing education approval, the Board shall give the provider notice and an opportunity to be heard. If the approval of a provider is revoked, the continuing education provider shall thereafter be barred from presenting any continuing education courses to licensees or registrants for credit unless the provider demonstrates to the Board that the provider has been sufficiently rehabilitated to be trusted to provide such courses to licensees or registrants in the future. Revocation of a continuing education provider's approval shall also operate as a revocation of all previously approved continuing education courses for all future offerings by the provider.

(j) For purposes of Section 455.2178, F.S., Chapter 477, F.S., and the rules adopted by the Board, the term "continuing education provider" shall mean any individual, organization, or other entity who offers or teaches: (1) courses for purposes of fulfilling the requirements of license renewal which has been submitted to and approved by the board for such purposes; or (2) an HIV/AIDS education course for purposes of fulfilling the requirements of initial licensure or license renewal which has been submitted to and approved by the Board for such purposes, or which has been approved for these purposes by rule of the Board. All continuing education providers shall comply with all provisions and requirements of this rule, and Section 455.2178 F.S., for the purpose of monitoring continuing education compliance. Failure to comply with such provisions and requirements by any continuing education provider shall be grounds for the suspension or revocation of the continuing education course approval.

(7) COURSE APPROVAL AND REQUIREMENTS.

(a) Except as noted below, all proposed continuing education courses, including those courses which are to be taught at cosmetology conferences, home study, and video courses, must be approved by the Board prior to their being offered or taught for continuing education credit; and, may only be offered or taught by the continuing education provider submitting the course for approval.

(b) All continuing education courses shall comply with the requirements as set forth in this rule, including but not limited to those regarding the required subjects and topics to be included in the proposed course.

(c) Continuing education providers seeking approval of a continuing education course shall submit a complete application for continuing education course approval to the Department, or if the Department shall contract with a private entity to administer the continuing education program then to such private entity, no later than 60 days prior to the next scheduled Board meeting at which the course is to be considered for approval. A complete application for continuing education course approval shall consist of the following:

1. A completed application on a form prescribed by the department, copies of which may be obtained from the Board office.

2. If the Department shall contract with a private entity to administer the continuing education program, a fee in the amount of \$100;

3. A complete copy of the course as it will be provided to licensee which includes the subjects, topics, and subtopics to be presented in the course and a narrative summary of all areas to be covered in each subject, topic and subtopic, and a list of all reference and source materials including the publication date for each;

4. If the proposed continuing education course consists of a home study course, a copy of the written post-course examination which will be used to test licensees and registrants comprehension and understanding of the subjects, topics, and subtopics presented in the course;

5. Evidence of the method to be used by the attendees of the course for evaluation of the learning experience and instructional methods used in the course; and

6. Instructor resumes, if applicable, listing the instructor's educational qualifications or evidence of appropriate skills or knowledge in the subject matter of the course. Instructors must possess sufficient skills and knowledge in the subject areas being taught.

(d) Upon approval by the Board of a continuing education course, a continuing education course number will be assigned to the course; and, shall be included in all future correspondence or submissions by the continuing education provider to the Board, the Department, or any private entity contracted with by the Department to administer the continuing education program.

1. The continuing education course number and continuing education provider number shall be included in all advertisements, promotions, or other announcements concerning an approved course.

2. No course shall be advertised as an approved course until the course has been approved by the Board and received a course number.

3. A course shall not be offered or credit given for hours other than what was approved by the Board.

4. A course shall not be offered other than in the manner the Board initially approved the course material.

(e) All continuing education home study courses shall include a written post-course examination which must be graded by the course provider. Post-course examinations may be open-book examinations. In order to receive continuing education credit for the course, licensees or registrants must achieve a 75% passing score on all post-course examinations,

(f) All continuing education courses shall include a method to be used by the attendees of the course for evaluation of the learning experience and instructional methods used in the course.

(g) Upon the successful completion of a continuing education course all licensees and registrants shall receive a certificate of completion for the course which shall indicate on its face all information as required by paragraph (6)(d) of this rule. One hour of credit will be awarded for each 50 minute classroom hour or for each 50 minutes of home study material.

(h) Approval of a continuing education course shall be valid for a period of two years from the date of approval by the Board. After the expiration of a continuing education course approval, the course may not be offered or taught for credit toward the required hours of continuing education; and, must be again approved by the Board prior to its being offered or taught for continuing education credit. Applications for approval of a continuing education course shall be submitted to the Department, or if the Department shall contract with a private entity to administer the continuing education program then to such private entity; and, shall contain all of the items and information required for initial approval as a continuing education course as set forth in paragraph (7)(c) of this rule.

(i) Any substantive changes regarding the information contained in the provider's application for course approval, or previously submitted by the provider to the Department or to a private entity contracted with by the Department to administer the continuing education program, shall require that the course be resubmitted for approval in accordance with this rule.

(j) At any time, the Board shall request the Department revoke the provider's approval if it finds that such approval is sought or was received by fraud or misrepresentation by the provider, that the course which is being provided fails to cover the information required by statute or this rule or Rule 61-6.015, F.A.C., or otherwise fails to meet the requirements specified in this rule, that the course significantly varies from the course proposal that was approved by the Board, or that the course provider has engaged in fraudulent behavior related to the provision of the course. Before the Board recommends that the Department revoke a continuing education provider, the Board shall give the course provider notice and an opportunity to be heard. If the Board denies or the Department revokes the approval of a continuing education provider because of the course provider's fraud or misrepresentation, then the continuing education provider shall thereafter be barred from presenting any continuing education courses to licensees or registrants for credit unless the provider demonstrates to the Board that the provider has been sufficiently rehabilitated to be trusted to provide such courses to licensees or registrants in the future.

(k) A course which constitutes a sales presentation or promotion will not be approved for continuing education credit.

Rulemaking Authority 455.2178, 455.2179, 455.219(3), 455.2228, 477.016, 477.019(7) FS. Law Implemented 455.2178, 455.2179, 455.219(3), 455.2228, 477.019(7) FS. History—New 3-25-99, Amended 2-28-00, 7-27-00, 7-29-01, 7-1-02, 12-6-06, 3-10-08, 3-2-10, 8-12-13.

4. Ratification of 2019-2020 Annual Regulatory Plan

The Board voted to ratify the 2019-2020 Annual Regulatory Plan as presented in the agenda materials.

V. OLD BUSINESS

None

VI. NEW BUSINESS

None

VII. BOARD MEMBERS COMMENTS

None

VIII. PUBLIC COMMENTS

None

IX. DATES AND LOCATIONS OF FUTURE MEETINGS

- **January 6-7, 2020 – St Augustine Beach**
- **April 20-21, 2020 – Sarasota**
- **July 20-21, 2020 – Celebration**
- **October 12-13, 2020 – Fernandina Beach**

X. ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at approximately 12:40 p.m.