

EXECUTIVE SUMMARY

Board of Cosmetology

I. General Information

Meeting Type: General Business Meeting
Meeting Date: Monday, January 13, 2014, and
Tuesday, January 14, 2014
Meeting Location: Residence Inn – Amelia Island
2301 Sadler Road
Fernandina Beach, Florida 32034

Attendees:

Myra Jowers, Chair
Ginny Fincel, Vice Chair
Adrienne Harvey
Laurel Ritenbaugh
Monica Smith
Suzanne Wilhoite
Robyn Barineau, Executive Director, Department of Business and Professional
Regulation (DBPR)
Doug Dolan, Assistant Attorney General, Office of the Attorney General
C. Erica White, Chief Attorney, Office of the General Counsel, DBPR
Kelly Wright, Assistant General Counsel, Office the General Counsel, DBPR
Julie Rowland, Government Analyst, DBPR
Beth Masters, Court Reporter
Cindy Danese, Court Reporter
Other Interested Parties

II. Major Issues/Actions

- The board considered 72 disciplinary cases.
- Ms. Kelly Wright, Assistant General Counsel, reported that as of January 10, 2014, there were 312 cosmetology cases in the legal section.
- The board approved three licensure applications and denied four licensure applications.
- The board approved five continuing education course applications, denied eight continuing education course applications, denied seven body wrapping course applications, denied nine hair braiding course applications, and denied eight hair wrapping course applications.
- Ms. Robyn Barineau, Executive Director, reported that the board's operating account as of September 30, 2013, was over \$4.392 million, and the unlicensed activity account balance for the same period was over \$2.329 million. She added that the Department projects that these two accounts will maintain a positive cash balance at least through June 30, 2018.
- Mr. Doug Dolan, Assistant Attorney General, introduced the Petition for a Declaratory Statement submitted by Ms. Pamela LePere regarding meta therapy. Mr. Dolan

informed the board that the request did not comply with the requirements for a Declaratory Statement. The board voted to deny the petitioner's request for a Declaratory Statement as it was not a proper petition.

- Ms. Cathy Hunt and Ms. Elisa DiFalco were present to discuss manual lymph drainage on the body. After some discussion, the board agreed that this procedure is allowed to be performed on the head, face, neck, but that a licensee of the Board of Cosmetology could not perform this procedure on the body. The board agreed a statutory change would be necessary to allow the procedure on the body.
- The board agreed on the following public comment rule language:

XXXXXX-XXX Public Comment.

The Board of Cosmetology invites and encourages all members of the public to provide comment on matters or propositions before the Board or a committee of the Board. The opportunity to provide comment shall be subject to the following:

(1) Members of the public will be given an opportunity to provide comment on subject matters before the Board after an agenda item is introduced at a properly noticed board meeting.

(2) Members of the public shall be limited to three minutes to provide comment. This time shall not include time spent by the presenter responding to questions posed by Board members, staff or board counsel. The chair of the Board may extend the time to provide comment if time permits.

(3) Members of the public shall notify board staff in writing of his or her interest to be heard on a proposition or matter before the Board. The notification shall identify the person or entity, indicate support, opposition, or neutrality, and identify who will speak on behalf of a group or faction of persons consisting of three or more persons. Any person or entity appearing before the Board may use a pseudonym if he or she does not wish to be identified.

III. Legislation/Rule Promulgation

- Mr. Dolan will move forward with development of the public comment rule.

IV. Action Required

- Mr. Dolan will prepare final orders from this meeting for filing with the Agency Clerk's Office.

Robyn Barineau
Executive Director
January 21, 2014