

# MINUTES

FLORIDA BOARD OF COSMETOLOGY  
RESIDENCE INN – 2301 SADLER ROAD  
FERNANDINA BEACH, FLORIDA 32034

Monday, January 13, 2014

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  
Suzanne Wilhoite  
Monica Smith  
Adrienne Harvey

## **Board Members Absent**

## **Other Persons Present**

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Doug Dolan, Assistant Attorney General, Office of the Attorney General (OAG)  
C. Erica White, Chief Attorney, Office of the General Counsel (OGC), DBPR  
Kelly Wright, Assistant General Counsel, OGC, DBPR  
Julie Rowland, Government Analyst, DBPR  
Beth Masters, Court Reporter  
Nam Nguyen  
Lorenza Thomas  
Mary Melber  
Bernadette Mathis  
Thao Tran  
Deloris Smith

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

## **DISCIPLINARY MATTERS**

### **Informal Hearing**

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

Victor Garcia; Miami; Case No. 2012010636

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

Bernadette T. Mathis; Jacksonville Beach; Case No. 2012027201

Ms. Mathis was present for the meeting and was sworn in by Ms. Beth Masters, Court Reporter. Ms. Laurel Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$293.65, to be paid over a period of six months, with the first payment of \$293.65 due within 30 days of the final order and five

monthly payments of \$100 each, plus revocation of nail specialist license FV9538474. Ms. Suzanne Wilhoite seconded the motion and the motion passed unanimously.

A Perfect 10 Hair-Nail; Jacksonville; Case No. 2012044882

Ms. Smith and Ms. Nelton were present for the meeting and were sworn in by the Court Reporter. Ms. Monica Smith moved that the Board dismiss the case based on mitigation. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Vivid Hair Design Studio and Mary W. Weber and Lorenza M. Thomas; Port St. Lucie; Case Nos. 2012031160, 2012035088 & 2012035089

Ms. Weber and Ms. Lorenza Thomas were present for the meeting and were sworn in by the Court Reporter. Ms. Smith moved that the Board impose a fine of \$500 and costs of \$386.38, to be paid over a period of six months, with the first payment of \$386.38 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9974862, cosmetology license CL212072 and cosmetology license CL1186582. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and cosmetology licenses will be suspended. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Q Nails and Chau Minh Cao; Clearwater; Case Nos. 2013032356 & 2012037468

The Respondents were not present for the meeting. Ms. Wilhoite moved that the Board impose a fine of \$500 and costs of \$213.37, to be paid over a period of six months, with the first payment of \$213.37 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9989514 and nail specialist license FV9550862. In the event the Respondents fail 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.

Lavanda Salon & Spa and Tai Van Doa; Royal Palm Beach; Case Nos. 2012022938 & 2012022897

The Respondents were not present for the meeting. Ms. Wilhoite moved that the Board impose a fine of \$1,100 and costs of \$271.86, to be paid over a period of six months, with the first payment of \$271.86 due within 30 days of the final order and five monthly payments of \$220 each, plus six months stayed suspension against cosmetology salon license CE9987952 and nail specialist license FV9561708. In the event the Respondents fail 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.

Lee Nails; Pinellas Park; Case No. 2012035616

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

Lovely Nails Salon and Thao Ngoc Tran; Starke; Case Nos. 2012033769 & 2012037340

Ms. Tran 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 \$309.04, to be paid over a period of six months, with the first payment of \$309.04 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9982628 and full specialist license FS875510. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and full specialist license will be suspended. Ms. Smith seconded the motion and the motion passed unanimously.

Angel L. Olivo; Orlando; Case No. 2012044384

The Respondent was not present for the meeting. Ms. Smith moved that the Board impose a fine of \$500 and costs of \$389.01, to be paid over a period of six months, with the first payment of \$389.01

due within 30 days of the final order and five monthly payments of \$100 each. Ms. Smith seconded the motion and the motion passed unanimously.

Julia E. Chapman; Pompano Beach; Case No. 2013005678

The Respondent was not present for the meeting. Ms. Smith moved that the Board impose a fine of \$500 and costs of \$175.27, to be paid over a period of six months, with the first payment of \$175.27 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against facial specialist license FB9741918. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the facial specialist license will be suspended. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Hair Cattery #2873; Royal Palm Beach; Case No. 2012041632

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$250 and costs of \$193.11, to be paid over a period of six months, with the first payment of \$193.11 due within 30 days of the final order and five monthly payments of \$50 each, plus six months stayed suspension against cosmetology salon license CE80808. 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. Smith seconded the motion and the motion passed unanimously.

Jasmine Nails and Trang Huyen Vu Nguyen; Ocala; Case Nos. 2013003956 & 2013006003

The Respondents were not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$257.08, to be paid over a period of six months, with the first payment of \$257.08 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9991106 and full specialist license FS866185. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and full specialist license will be suspended. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Luxury Nail Spa and Nam Nguyen; Jacksonville; Case Nos. 2013020820 & 2013028164

Ms. Nguyen was present for the meeting and was sworn in by the Court Reporter. Vice Chair Ginny Finsel moved that the Board impose a fine of \$500 and costs of \$457.56, to be paid over a period of six months, with the first payment of \$457.56 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9983312 and nail specialist license FV9543269. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology license and nail specialist license will be suspended. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Nails City and Kim Chi Thi Le; Orange Park; Case Nos. 2013037838 & 2013035117

The Respondents were not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$296.16, to be paid over a period of six months, with the first payment of \$296.16 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9965947 and nail specialist license FV561508. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology license and nail specialist license will be suspended. Ms. Smith seconded the motion and the motion passed unanimously.

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

Ms. Wright presented the following cases for consideration by the Board. The Board found that the Respondents were properly served with the Administrative Complaint, the Respondents failed to respond within 21 days thereby waiving their right to elect a hearing in this matter, that the Board accept the allegations as stated in the Administrative Complaint and adopt them as the findings of fact and conclusions of law of the Board and imposed the penalties shown below:

Drop Zone 2001; Jacksonville; Case No. 2012003123

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$322.04, to be paid over a period of six months, with the first payment of \$322.04 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE844444. 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. Wilhoite seconded the motion and the motion passed unanimously.

Phuong Thi Pham; Okeechobee; Case No. 2012031252

The Respondent was not present for the meeting. Ms. Smith moved that the Board impose a fine of \$600 and costs of \$111.43, to be paid over a period of six months, with the first payment of \$111.43 due within 30 days of the final order and five monthly payments of \$120 each, plus six months stayed suspension against full specialist license FS882855. In the event the Respondent fails to comply with the terms of the final order, the stay shall be lifted and the full specialist license will be suspended. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Deon Pettis; Ft. Walton Beach; Case No. 2012025208

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$58.17, to be paid over a period of six months, with the first payment of \$58.17 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology license CL1169456. 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. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Fantastic Sam's; St. Petersburg; Case No. 2012028904

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$18.78, to be paid over a period of six months, with the first payment of \$18.78 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE44336. 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. Smith seconded the motion and the motion passed unanimously.

Platinum Hair Bizzarr; Sanford; Case No. 2012030549

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$73.17, to be paid over a period of six months, with the first payment of \$73.17 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9985813. 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. Wilhoite seconded the motion and the motion passed unanimously.

Binh Le; Ocala; Case No. 2012035294

The Respondent was not present for the meeting. Ms. Smith moved that the Board impose a fine of \$500 and costs of \$88.94, to be paid over a period of six months, with the first payment of \$88.94 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against nail specialist license FV9567116. 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. Wilhoite seconded the motion and the motion passed unanimously.

A/X Nails Spa Salon and Anh-Nguyen; Port St. Lucie; Case Nos. 2012021792 & 2012025780

The Respondents were not present for the meeting. Ms. Wilhoite moved that the Board impose a fine of \$1,000 and costs of \$239.21, to be paid over a period of six months, with the first payment of \$239.21 due within 30 days of the final order and five monthly payments of \$200 each, plus six months stayed suspension against cosmetology salon license CE9988544 and full specialist license FS860472. In the event the Respondents fail to comply with the terms of the final order, the stay

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

Aileens Beauty Lounge; Kissimmee; Case No. 2012047464

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$41.80, to be paid over a period of six months, with the first payment of \$41.80 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9981693. 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. Wilhoite seconded the motion and the motion passed unanimously.

Stephanie's Hair Salon; Hialeah; Case No. 2012033955

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$33.21, to be paid over a period of six months, with the first payment of \$33.21 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE65593. 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. Wilhoite seconded the motion and the motion passed unanimously.

Top Nails and Mylinh Nguyen; Ocala; Case Nos. 2012037744 & 2012040354

The Respondents were not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$293.79, to be paid over a period of six months, with the first payment of \$293.79 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9978348 and full specialist license FS865445. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and full specialist license will be suspended. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Le Nails and Phuong K. Nguyen; Jensen Beach; Case Nos. 2012032908 & 2012036199

The Respondents were not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$262.67, to be paid over a period of six months, with the first payment of \$262.67 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9982063 and nail specialist license FV878393. In the event the Respondents fail 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. Smith seconded the motion and the motion passed unanimously.

Pink Nails & Spa and Ha Trung Huynh; Port St. Lucie; Case Nos. 2012045448 & 2012048780

The Respondents were not present for the meeting. Ms. Smith moved that the Board impose a fine of \$850 and costs of \$241.10, to be paid over a period of six months, with the first payment of \$241.10 due within 30 days of the final order and five monthly payments of \$170 each, plus six months stayed suspension against cosmetology salon license CE9989346 and nail specialist license FV9532010. In the event the Respondents fail 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. Wilhoite seconded the motion and the motion passed unanimously.

Lee Spa & Nails and Giang L. Nguyen; Palm Coast; Case Nos. 2013017418 & 2013020134

The Respondents were not present for the meeting. Vice Chair Fincel moved that the Board impose a fine of \$500 and costs of \$222.28, to be paid over a period of six months, with the first payment of \$222.28 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9981463 and nail specialist license FV514. In the event the Respondents fail 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. Smith seconded the motion and the motion passed unanimously.

Lovely Nails Spa and Thua Hoang; Riviera Beach; Case Nos. 2013022784 & 2013026289

The Respondents were not present for the meeting. Ms. Smith moved that the Board impose a fine of \$1,300 and costs of \$225.57, to be paid over a period of six months, with the first payment of \$225.57 due within 30 days of the final order and five monthly payments of \$260 each, plus six months stayed suspension against cosmetology salon license CE9990441 and nail specialist license FV9570853. In the event the Respondents fail 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. Wilhoite seconded the motion and the motion passed unanimously.

**Settlement Stipulation**

Hollywood Barbers and Beauty Salon; Windermere; Case No. 2010027877

The Respondent was not present for the meeting. Ms. Adrienne Harvey 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 \$1,000 and costs of \$117.74, to be paid over a period of six months, with the first payment of \$117.74 due within 30 days of the final order and five monthly payments of \$200 each, plus six months stayed suspension against cosmetology salon license CE87136. 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. Wilhoite seconded the motion and the motion passed unanimously.

Canel Efrain Rega; Miami Beach; Case No. 2012010637

The Respondent was not present for the meeting. Ms. Harvey 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 \$178.04, to be paid over a period of six months, with the first payment of \$178.04 due within 30 days of the final order and five monthly payments of \$100 each, plus voluntary relinquishment of cosmetology license CL1224713. Ms. Wilhoite seconded the motion and the motion passed unanimously.

DKK's Nails and Spa; Bradenton; Case No. 2012025011

The Respondent was not present for the meeting. Ms. Harvey 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 \$18.78, to be paid over a period of six months, with the first payment of \$18.78 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9989092. 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. Wilhoite seconded the motion and the motion passed unanimously.

Erin Bem; Palm Bay; Case No. 2012035702

The Respondent was not present for the meeting. Ms. Harvey 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 \$222.15, to be paid over a period of four months, with the first payment of \$222.15 due within 30 days of the final order and three monthly payments of \$166.66 each, plus six months stayed suspension against cosmetology license CL1197894. 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. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Femme Hair Spa; Miami Beach; Case No. 2012041451

The Respondent was not present for the meeting. Ms. Harvey 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 \$43.41, to be paid over a period of three months, with the first payment of \$43.41 due within 30 days of the final order and two monthly

payments of \$250 each, plus six months stayed suspension against cosmetology salon license CE9977561. 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. Wilhoite seconded the motion and the motion passed unanimously.

Dale Dees (The) Salon; Orlando; Case No. 2012041467

The Respondent was not present for the meeting. Ms. Harvey 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 \$48.06, to be paid over a period of six months, with the first payment of \$48.06 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9971154. 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. Wilhoite seconded the motion and the motion passed unanimously.

Van's Nails; Miramar; Case No. 2012042723

The Respondent was not present for the meeting. Ms. Harvey 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 \$650 and costs of \$268, to be paid over a period of six months, with the first payment of \$268 due within 30 days of the final order and five monthly payments of \$130 each, plus six months stayed suspension against cosmetology salon license CE76800. 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. Wilhoite seconded the motion and the motion passed unanimously.

Franchise Barber and Braids of Beauty and Sabrina S. Bellamy; Stuart; Case Nos. 2012041641 & 2012041669

The Respondents were not present for the meeting. Ms. Harvey 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 \$239.20, to be paid over a period of six months, with the first payment of \$239.20 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9989796 and hair braider registration HB6942. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and hair braider registration will be suspended. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Pro Nails, Helen Thi Ha and Marie Ha; Ft. Pierce; Case Nos. 2012042516, 2012042530 & 2012042557

The Respondents were not present for the meeting. Ms. Harvey 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 \$300 and costs of \$387.23, to be paid over a period of four months, with the first payment of \$387.23 due within 30 days of the final order and three monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9966254, nail specialist license FV9536524 and nail specialist license FV581438. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and nail specialist licenses will be suspended. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Pro Nails and Son Phyl Nguyen; Okeechobee; Case Nos. 2012045434 & 2012048775

The Respondents were not present for the meeting. Ms. Harvey 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 \$850 and costs of \$241.10, to be paid over a period of six months, with the first payment of \$241.10 due within 30 days of the final order and five monthly payments of \$170 each, plus six months stayed suspension against cosmetology salon license

CE9974689 and nail specialist license FV9535023. In the event the Respondents fail 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. Wilhoite seconded the motion and the motion passed unanimously.

Regal Nails and Jimmy Van; Port St. Lucie; Case Nos. 2013003785 & 2013006838

The Respondents were not present for the meeting. Ms. Harvey 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 \$284.29, to be paid over a period of six months, with the first payment of \$284.29 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9955964 and nail specialist license FV547170. In the event the Respondents fail 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. Wilhoite seconded the motion and the motion passed unanimously.

NJ Nails & Spa and Trang Van Lam; Ocala; Case Nos. 2013003960 & 2013006008

The Respondents were not present for the meeting. Ms. Harvey 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 \$359.94, to be paid over a period of six months, with the first payment of \$359.94 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9975828 and full specialist license FS866897. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and full specialist license will be suspended. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Fancy Nails Spa and Tri D. Hoang; Bunnell; Case Nos. 2013018431 & 2013022339

The Respondents were not present for the meeting. Ms. Harvey 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 \$259.39, to be paid over a period of six months, with the first payment of \$259.39 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9982434 and nail specialist license FV583474. In the event the Respondents fail 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. Wilhoite seconded the motion and the motion passed unanimously.

Tuan Van Ta; Gibsonton; Case No. 2013010087

The Respondent was not present for the meeting. Ms. Harvey 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 \$162.97, to be paid over a period of six months, with the first payment of \$162.97 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against nail specialist license FV9530309. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the nail specialist license will be suspended. Ms. Wilhoite seconded the motion and the motion passed unanimously.

JT Escape Salon Nails & Spa and Hung Le; Port St. Lucie; Case Nos. 2013011426 & 2013017364

The Respondents were not present for the meeting. Ms. Harvey 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 \$212.06, to be paid over a period of six months, with the first payment of \$212.06 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license



CE9992500 and nail specialist license FV9539528. In the event the Respondents fail 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. Wilhoite seconded the motion and the motion passed unanimously.

Bee Nails; Sarasota; Case No. 2013022439

The Respondent was not present for the meeting. Ms. Harvey 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 \$92.92, to be paid over a period of six months, with the first payment of \$92.92 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9979490. 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. Wilhoite seconded the motion and the motion passed unanimously.

Happy Nails; Orange Park; Case No. 2013029771

The Respondent was not present for the meeting. Ms. Harvey 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 \$127.08, to be paid over a period of six months, with the first payment of \$127.08 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9981299. 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. Wilhoite seconded the motion and the motion passed unanimously.

Best Nail; Seffner; Case No. 2013031566

The Respondent was not present for the meeting. Ms. Harvey 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 \$181.17, to be paid over a period of six months, with the first payment of \$181.17 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9987632. 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. Wilhoite seconded the motion and the motion passed unanimously.

Spa & Nails; Jacksonville; Case No. 2013035925

The Respondent was not present for the meeting. Ms. Harvey 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 \$182.25, to be paid over a period of six months, with the first payment of \$182.25 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9986272. 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. Wilhoite seconded the motion and the motion passed unanimously.

Be Be Nail & Spa and Linh Nguyen; Jensen Beach; Case Nos. 2013018730 & 2013022396

The Respondents were not present for the meeting. Ms. Harvey 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 \$247.59, to be paid over a period of six months, with the first payment of \$247.59 due within 30 days of the final order and five monthly payments of \$100 each, plus six months stayed suspension against cosmetology salon license CE9992746 and full specialist license FS888153. In the event the Respondents fail to comply with the terms of the final order, the stay shall be lifted and the cosmetology salon license and full

specialist license will be suspended. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Alejandro Gomez; Coral Gables; Case No. 2012037890

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

### **Voluntary Relinquishment**

Jacqueline Lozano; Miami; Case No. 2012031170

The Respondent was not present for the meeting. Ms. Wilhoite moved that the Board impose a fine of \$500 and costs of \$172.74, to be paid over a period of six months, with the first payment of \$172.74 due within 30 days of the final order and five monthly payments of \$100 each, plus voluntary relinquishment of full specialist license FS884033. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

Thanh Thi Doan; Palm Beach Gardens; Case No. 2012024526

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$64.75, to be paid over a period of six months, with the first payment of \$64.75 due within 30 days of the final order and five monthly payments of \$100 each, plus voluntary relinquishment of cosmetology license CL1226574. Ms. Harvey seconded the motion and the motion passed unanimously.

Rosa A. Rosario; Miami Lakes; Case No. 2012031178

The Respondent was not present for the meeting. Ms. Ritenbaugh moved that the Board impose a fine of \$500 and costs of \$185.97, to be paid over a period of six months, with the first payment of \$185.97 due within 30 days of the final order and five monthly payments of \$100 each, plus voluntary relinquishment of full specialist license FS883960. Ms. Wilhoite seconded the motion and the motion passed unanimously.

### **Department Attorney Report**

Ms. Wright informed the Board that as of January 10, 2014, there were 312 open cosmetology cases in the legal section.

### **Hair Braiding Courses**

ContinuingCosmetology.com

After review, Ms. Ritenbaugh moved to approve the course with the following contingencies: update laws and rules references, strike references to Wisconsin. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Wonderful Braids

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair braider registration and incorrect information. Ms. Smith seconded the motion and the motion passed unanimously.

Gilly's Glamorous House of Beauty

After review, Ms. Harvey moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

### N 2 U Essentials

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair braider registration and incorrect information. Ms. Smith seconded the motion and the motion passed unanimously.

### Styles By Lika

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair braiding registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

### Angela Clinton

After review, Ms. Smith moved to deny the course based on the course content being outside the scope of practice of a hair braider registration and incorrect information. Ms. Harvey seconded the motion and the motion passed unanimously.

### ASM Beauty World Academy – Classroom

After review, Ms. Smith moved to deny the course based on the course content being outside the scope of practice of a hair braider registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

### ASM Beauty World Academy – Internet

After review, Ms. Smith moved to deny the course based on the course content being outside the scope of practice of a hair braider registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

### ASM Beauty World Academy – Home Study

After review, Ms. Smith moved to deny the course based on the course content being outside the scope of practice of a hair braider registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

## **Hair Wrapping Courses**

### ContinuingCosmetology.com

After review, Ms. Ritenbaugh moved to approve the course with the following contingencies: update laws and rules references, strike references to Wisconsin. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval. Ms. Wilhoite seconded the motion and the motion passed unanimously.

### Beautify Me Hair Salon

After review, Ms. Harvey moved to deny the course based on the course narrative being incomplete and outdated references. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

### Styles By Lika

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair wrapping registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

### 561 Loc Lounge

After review, Ms. Ritenbaugh moved to deny the course based on the course content being incomplete. Ms. Smith seconded the motion and the motion passed unanimously.

### Angela Clinton

After review, Ms. Smith moved to deny the course based on the course content being outside the scope of practice of a hair wrapper registration and incorrect information. Ms. Smith seconded the motion and the motion passed unanimously.

#### ASM Beauty World Academy – Classroom

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair wrapper registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

#### ASM Beauty World Academy – Internet

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair wrapper registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

#### ASM Beauty World Academy – Home Study

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a hair wrapper registration and incorrect information. Ms. Smith seconded the motion and the motion passed unanimously.

### **Body Wrapping Courses**

#### **Informal Hearing**

##### Latin Beauty Academy

Ms. Robyn Barineau, Executive Director, noted that the course was denied at the September 4, 2013, Board meeting based on the course content being outside the scope of practice of a body wrapper registration. After review, Ms. Smith moved to uphold the denial based on the course content being outside the scope of practice of a body wrapper registration. Ms. Harvey seconded the motion and the motion passed unanimously.

#### **Initial Review**

##### BeautyWrap Inc.

After review, Ms. Ritenbaugh moved to deny the course based on the course content being outside the scope of practice of a body wrapper registration, incorrect disinfection procedures and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

##### ContinuingCosmetology.com

After review, Ms. Smith moved to deny the course based on the course content being outside the scope of practice of a body wrapper registration. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

##### Angela Clinton

After review, Ms. Ritenbaugh moved to deny the course based on the course content being incomplete and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

#### ASM Beauty World Academy – Classroom

After review, Ms. Smith moved to deny the course based on the course content being outside the scope of practice of a body wrapper registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

#### ASM Beauty World Academy – Internet

After review, Ms. Smith moved to deny the course based on the course content being outside the scope of practice of a body wrapper registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

ASM Beauty World Academy – Home Study

After review, Ms. Smith moved to deny the course based on the course content being outside the scope of practice of a body wrapper registration and incorrect information. Ms. Wilhoite seconded the motion and the motion passed unanimously.

**Continuing Education Courses**

ASM Beauty World Academy – HIV/AIDS for HB, HW and BW 2 Hours Home Study

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

Dermastart – Understanding Skin Conditions: Hyperpigmentation 6 Hours Classroom

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

Dermastart – Deciphering Skin Care Technology 4 Hours Classroom

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

Dermastart – Advanced Facial Massage 4 Hours Classroom

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

ContinuingCosmetology.com – HIV/AIDS 2 Hours Internet

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

Famos/FAB Professionals – 16 Hour CE Course 16 Hours Home Study

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

Famos/FAB Professionals – 16 Hour CE Course 16 Hours Internet

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

All Star Training – 16 Hour CE Course 16 Hours Internet

After review, Ms. Smith moved to deny the course based on insufficient and outdated course materials. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

ASM Beauty World Academy – HIV/AIDS for HB, HW and BW 2 Hours Classroom

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

ASM Beauty World Academy – 16 Hour CE Course Classroom

After review, Ms. Ritenbaugh moved to deny the course based on improper disinfection procedures and no source dates. Ms. Wilhoite seconded the motion and the motion passed unanimously.

ASM Beauty World Academy – 16 Hour CE Course Internet

After review, Ms. Ritenbaugh moved to deny the course based on improper disinfection procedures and no source dates. Ms. Wilhoite seconded the motion and the motion passed unanimously.

ASM Beauty World Academy – 16 Hour CE Course Home Study

After review, Ms. Ritenbaugh moved to deny the course based on improper disinfection procedures and no source dates. Ms. Wilhoite seconded the motion and the motion passed unanimously.

Sylvie Hennessy Academy of Esthetics & Spa Therapies – Pevionia: Combining Science & Nature in the Treatment of Skin 4 Hours Classroom

After review, Ms. Smith moved to deny the course based on the course being product driven and outdated references. Ms. Ritenbaugh seconded the motion and the motion passed unanimously.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 12:30 p.m.

**Tuesday, January 14, 2014**

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  
Ginny Finsel, Vice Chair  
Suzanne Wilhoite  
Laurel Ritenbaugh  
Monica Smith  
Adrienne Harvey

**Board Members Absent**

**Other Persons Present**

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)  
Doug Dolan, Assistant Attorney General, Office of the Attorney General (OAG)  
C. Erica White, Chief Attorney, Office of the General Counsel (OGC), DBPR  
Kelly Wright, Assistant General Counsel, OGC, DBPR  
Julie Rowland, Government Analyst, DBPR  
Cindy Danese, Court Reporter  
Jasmine Gilmore  
Jennifer Dsilva  
Brandy Lovelady  
Lisa DiFalco  
Cathy Hunt

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

**APPROVAL OF MINUTES**

Ms. Suzanne Wilhoite moved to approve the minutes from the October 21-22, 2013, Board meeting. Ms. Laurel Ritenbaugh seconded the motion and the motion passed unanimously.

## **APPLICATIONS**

### **Licensure Applications**

#### **Informal Hearing**

##### **Jennifer Dsilva**

Ms. Dsilva was present for the meeting and was sworn in by Ms. Cindy Danese, Court Reporter. Ms. Robyn Barineau, Executive Director, noted that the application was denied at the September 4, 2013, Board meeting, based on the noted criminal history. After review, Vice Chair Ginny Fincel moved to approve the application. Ms. Adrienne Harvey seconded the motion and the motion passed unanimously.

#### **Initial Review**

##### **Thelma Rosello**

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

##### **Jasmine Gilmore**

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

##### **Gloria Bosch**

Ms. Bosch was not present for the meeting. After review, Ms. Monica Smith moved to deny the application based on the noted criminal history. Vice Chair Fincel seconded the motion and the motion passed unanimously.

##### **Jabari Judge**

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

##### **Sophia Bright**

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

##### **Biangely Cespedes**

Ms. Cespedes 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. Smith seconded the motion and the motion passed unanimously.

## **NEW BUSINESS**

### **Question Regarding Manual Lymph Drainage – Cathy Hunt**

Ms. Cathy Hunt and Ms. Elisa DiFalco were present for the meeting to discuss manual lymph drainage on the body. After discussion, the Board agreed that Board of Cosmetology licensees can perform this procedure on the head, face, neck, but could not perform this procedure on the body. The Board agreed a statutory change would be necessary to allow the procedure on the body.

### **Petition for Declaratory Statement – Pamela Le Pere**

After discussion, the Board agreed to deny Ms. Le Pere's request for Declaratory Statement as submitted. The petition did not comply with the requirements for a Declaratory Statement.

## **OTHER BUSINESS**

### **Board Attorney Report**

#### **XX-XXX Public Comment**

The Board approved the following language and they 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.

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.

### **Executive Director Report**

#### **Financial Report for Period Ending September 30, 2013**

Ms. Barineau reported that the balance in the Board's operating account as of September 30, 2013, was over \$4.3 million, and the balance in their unlicensed activity account was over \$2.3 million for the same period.

### **Regulation Report**

#### **Complaints and Investigative Statistics – July 2013 – November 2013**

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

### **Education and Testing Report**

#### **Cosmetology Examination Summary – January 2013 – November 2013**

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

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

April 7-8, 2014 – Tampa  
July 14-15, 2014 – Orlando  
October 20-21, 2014 – Gainesville

## **ADJOURNMENT**

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