

# MINUTES

## FLORIDA BOARD OF COSMETOLOGY HILTON HOTEL - 12 VIA DE LUNA PENSACOLA BEACH, FLORIDA 32561

Monday, January 9, 2023

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

### **Board Members Present**

Adrienne Harvey, Chair  
Robin Tabano, Vice Chair  
Stephania Streit  
Jennifer Macku  
Marisol Marin  
Trena Giddens

### **Board Members Absent**

### **Other Persons Present**

Krista Woodard, Executive Director, Department of Business and Professional Regulation (DBPR)  
Julie Rowland, Government Analyst, DBPR  
Larry Harris, Assistant Attorney General, Office of the Attorney General  
Andrea Osorio, Assistant General Counsel, Office of the General Counsel, DBPR  
Melissa Odom, Court Reporter  
Susana Valdes  
Victor Rodriguez  
Sandra Mancia  
Laura Embleton

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

## **DISCIPLINARY MATTERS**

Ms. Andrea Osorio, Assistant General Counsel, requested that the board admit into evidence the investigative file and supporting documentation for the cases below.

### **Informal Hearing**

Ms. Osorio presented the following case for consideration by the Board. The Board found that the Respondent was properly served with the Administrative Complaint, the Respondent 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 penalty shown below:

- Tipsynailbaruptownboca; Boca Raton; Case No. 2022022368  
\$1,000 fine and \$89.13 costs to be paid within six months
- Adriana Matos Bolivar; St. Cloud; Case No. 2022017514  
\$43.31 costs only; Revocation of license FS918249
- Nailcare; Palm Beach Garden; 2022023553  
\$600 fine and \$171.18 costs to be paid within six months  
Suspension of license CE10007221 until successful re-inspection

- Sandra Pena; Orlando; Case Nos. 2022014199, 2021055472 & 2021055463  
\$394.75 costs only; Revocation of licenses CL1286892, FS917049 and FB9776739
- Dominique Lambright; Lauderhill; Case No. 2022017495  
\$60.25 costs only; Revocation of license FS922479
- Nail Bar Spa and Lounge; Tallahassee; Case No. 2022008238  
\$500 fine and \$53.93 costs to be paid within six months

### **Election of Waiver of Rights and Final Order**

Ms. Osorio 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:

- Nails 2K Salon and Spa; Palm Beach Gardens; Case No. 2022009647  
\$750 fine and \$138.51 costs to be paid within six months
- Rocio Gomez Peraza; Clewiston; Case No. 2022017452  
\$197.30 costs only; Revocation of license FS919198
- Daymara Velazquez Lobaina; West Palm Beach; Case No. 2022017631  
\$141.20 costs only; Revocation of license FS919088
- Angelica Llanes Garcia; Spring Hill; Case No. 2022017502  
\$43.16 costs only; Revocation of license FS918230
- Sunshine Nails; Clearwater; Case No. 2022038776  
\$500 fine and \$107.02 costs to be paid within six months
- Venetian Lifestyle Salon & Spa; Pembroke Pines; Case No. 2022015492  
\$500 fine and \$224.38 costs to be paid within six months
- Suave Nails; Cape Coral; Case No. 2021057036  
\$500 fine and \$143.73 costs to be paid within six months  
Suspension of license CE10023913 until successful re-inspection
- Luong Huynh; Okeechobee; Case No. 2022000445  
\$500 fine and \$105.84 costs to be paid within six months

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

Ms. Osorio 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:

- Michelle Garcia; Ft. Pierce; Case No. 2022002697  
\$500 fine and \$111.06 costs to be paid within six months
- Lari Nails Studio; Boca Raton; Case No. 2022014224  
\$1,000 fine and \$116.23 costs to be paid within six months

- T K Best Nails; St. Cloud; Case No. 2022017776  
\$500 fine and \$107.83 costs to be paid within six months
- Ronnie Santiago; West Palm Beach; Case No. 2022007477  
\$1,000 fine and \$40.50 costs to be paid within six months
- Selfie Spa Salon; Palm Beach Gardens; Case No. 2022002186  
\$1,150 fine and \$24.17 costs to be paid within six months
- Luminous Nails and Spa; Port St. Lucie; Case No. 2022005717  
\$800 fine and \$105.84 costs to be paid within six months
- Polished Nail; Lithia; Case No. 2022011250  
This case was pulled from the agenda
- Dinh Binh Dinh; Houston, Texas; 2022011813  
\$500 fine and \$35.66 costs to be paid within six months
- Posh+ Nails; Stuart; Case No. 2022002370  
\$1,000 fine and \$105.84 costs to be paid within six months
- Claudia Longano; Salt Lake City, UT; Case No. 2021007283  
Revocation of license FS915815
- Polished Nail Spa; Palm Beach Gardens; Case No. 2022005309  
This case was pulled from the agenda
- Binh Phuoc Ly; Gainesville; Case No. 2021056003  
\$500 fine and \$95.77 costs to be paid within six months  
Revocation of license FV9627866
- Tanyeli Paredes Garcia; Orlando; Case No. 2022000483  
\$1,000 fine and \$116.29 costs to be paid within six months
- Tina Ho; Miami; Case No. 2021052994  
\$750 fine and \$90.43 costs to be paid within six months
- Nails 2K Salon and Spa; Palm Beach Gardens; Case No. 2021048016  
\$950 fine and \$192.74 costs to be paid within six months  
Suspension of license CE10009577 until successful re-inspection
- Thi Phuong Thu Ong; Oviedo; Case No. 2021055524  
\$500 fine and \$88.81 costs to be paid within six months  
Revocation of license FB9777719
- Larissa Dos Santos; Boca Raton; Case No. 2022015850  
\$500 fine and \$116.23 costs to be paid within six months
- Impression Beauty Salon; Sunrise; Case No. 2022004785  
\$600 fine and \$62.51 costs to be paid within six months

### **Settlement Stipulation**

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

- E-Z Nails Salon and Kimberly Tran; Jensen Beach; Case Nos. 2022016336 & 2022021313  
\$500 fine and \$211.68 costs to be paid within six months
- Namaste Nail Spa; West Palm Beach; Case No. 2022023601  
\$1,400 fine and \$62.03 costs to be paid within six months
- Vivid Touch Nails & Spa and Hua Khanh Tran; Vero Beach; Case Nos. 2022023496 & 2022020481  
\$600 fine and \$211.68 costs to be paid within six months
- New Look Hair Design and Minh Nguyen; Tequesta; Case Nos. 2022025048 & 2022028868  
\$500 fine and \$212.38 costs to be paid within six months
- Busy Nails; Seffner; Case No. 2022039097  
\$500 fine and \$100.00 costs to be paid within six months
- Ilash Nails & Spa and Van Nguyen; Palm Beach Gardens; Case Nos. 2022037538 & 2022041479  
\$1,000 fine and \$244.24 costs to be paid within six months
- Gloss Nail Studio and Toan Vuong; Vero Beach; Case Nos. 2022026178 & 2022030634  
\$700 fine and \$252.86 costs to be paid within six months
- Nails and Makeup by Jasmine and Jasmine Casillo; Port St. Lucie; Case Nos. 2022024614 & 2022028864  
\$1,900 fine and \$261.38 costs to be paid within six months
- Elegant Beauty Salon; Hollywood; Case No. 2022006388  
\$950 fine and \$105.84 costs to be paid within six months
- Hot Stone Nails & Spa; Clearwater; Case No. 2022014807  
\$500 fine and \$107.83 costs to be paid within six months
- Tammy Nails & Buu Dac Ho; Melbourne; Case No. 2022003599 and 2022003806  
\$600 fine and \$81.00 costs to be paid within six months
- Joky Luxury Nails; West Palm Beach; Case No. 2022001267  
\$700 fine and \$105.84 costs to be paid within six months
- Cuts By Us; Cantonment; Case No. 2022021032  
\$100 fine and \$123.65 costs to be paid within six months

### **Voluntary Relinquishment**

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

- Carolina Jimenez; Coral Gables; Case No. 2022017488  
\$88.42 costs only; Revocation of license FS922892

- Yudy Viada; Miami Beach; Case No. 2022017351  
\$199.99 costs only; Revocation of license FS921170

## **Department Attorney Report**

Ms. Osorio informed the Board that as of December 12, 2022, there were 236 open cosmetology cases in the legal section.

## **APPLICATIONS**

### **Continuing Education Courses**

#### **Initial Review**

##### **Prestige Health and Beauty Sciences Academy – Cosmetology CE Course 10 Hour Internet**

After review, the Board moved to approve the course with the following contingency: update references. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

##### **Makeover Pro – Opioid Crisis 1 Hour Internet**

After review, the Board moved to approve the course with the following contingency: update references. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

##### **USA Discount Continuing Education – HIV/AIDS for Florida Cosmetology 1 Hour Internet**

After review, the Board moved to approve the course with the following contingency: add access dates to references. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

##### **Hollywood Institute of Beauty Careers – Cosmetology License Renewal 10 Hour Internet**

After review, the Board moved to deny the course based on the course content being outside the scope of practice of Florida Board of Cosmetology licensees, incorrect references, and lack of content.

##### **Beauty Forever Miami – Diamond Tip Microdermabrasion Procedure 4 Hour Classroom**

Ms. Suzana Valdes and Mr. Victor Rodriguez were present for the meeting. After review, the Board moved to approve the course with the following contingency: update Milady references. The corrections must be submitted to the Executive Director within 30 days of the date of the order for approval.

##### **Lilym Salon & Li-Esthetic – Continuing Education for Cosmetologist 10 Hour Internet**

After review, the Board moved to deny the course based on the course content being outside the scope of practice of Florida Board of Cosmetology licensees, grammatical errors, and incorrect information.

##### **Lilym Salon & Li-Esthetic – Facialist Continuing Education Course 10 Hour Internet**

After review, the Board moved to deny the course based on the course content being outside the scope of practice of Florida Board of Cosmetology licensees, grammatical errors, and incorrect information.

##### **Lilym Salon & Li-Esthetic – Continuing Education for Nail Technician 10 Hour Internet**

After review, the Board moved to deny the course based on the course content being outside the scope of practice of Florida Board of Cosmetology licensees, grammatical errors, and incorrect information.

##### **Lilym Salon & Li-Esthetic – Continuing Education for Full Specialist 10 Hour Internet**

After review, the Board moved to deny the course based on the course content being outside the scope of practice of Florida Board of Cosmetology licensees, grammatical errors, and incorrect information.

Mountain Troll Marketing – FL Cosmetology CE w/ Human Trafficking 10 Hour Internet

After review, the Board moved to approve the course.

Mountain Troll Marketing – FL Cosmetology CE w/ Domestic Abuse Emphasis 10 Hour Internet

After review, the Board moved to approve the course.

WU Aesthetics Academy – Dermaplane Pro Training 10 Hour Internet

After review, the Board moved to deny the course based on the course content being product driven.

WU Aesthetics Academy – Dermaplane Pro Training 10 Hour Classroom

After review, the Board moved to deny the course based on the course content being product driven.

WU Aesthetics Academy – Advanced Brazilian and Body Waxing Techniques 10 Hour Classroom

After review, the Board moved to deny the course based on the course content being outside the scope of practice of Florida Board of Cosmetology licensees.

**RECESS**

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

**Tuesday, January 10, 2023**

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

**Board Members Present**

Adrienne Harvey, Chair  
Robin Tabano, Vice Chair  
Stephania Streit  
Jennifer Macku  
Marisol Marin  
Trena Giddens

**Board Members Absent**

**Other Persons Present**

Krista Woodard, Executive Director, Department of Business and Professional Regulation (DBPR)  
Julie Rowland, Government Analyst, DBPR  
Larry Harris, Assistant Attorney General, Office of the Attorney General  
Andrea Osorio, Assistant General Counsel, Office of the General Counsel, DBPR  
Melissa Odom, Court Reporter  
Laura Embleton  
Kareen Cunningham  
DelaQuese Jernigan, Gadsden Correction

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

## **APPROVAL OF MINUTES**

The Board approved the minutes of the December 12, 2022, Board meeting.

## **APPLICATIONS**

### **Licensure Applications**

#### **Informal Hearing**

##### **Arlene Briceno Munoz / Costa Rico**

The Board moved to approve the request for continuance to the April meeting.

##### **Kareen Cunningham**

Ms. Cunningham and Ms. DelaQuese Jernigan were present for the meeting. Ms. Woodard informed the Board that the application was denied at the April 12, 2022, board meeting, based on the noted criminal history. After review, the Board moved to overturn the denial and approve the application. The Board also imposed probation on the license to run concurrent with her incarceration.

#### **Initial Review**

##### **Brianna Cruz**

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

##### **Alejandra Macedo**

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

##### **Annet Rojas Fombellida**

Ms. Fombellida was not present for the meeting. After review, the Board moved to deny the application due to the applicant attempting to obtain a license to practice a profession through fraudulent misrepresentation.

##### **Leannys Marmol Machado**

Ms. Machado was not present for the meeting. After review, the Board moved to deny the application due to the applicant attempting to obtain a license to practice a profession through fraudulent misrepresentation.

##### **Alessandra Kruger**

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

##### **Karina Dantin**

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

## **NEW BUSINESS**

### **Criminal History Guidelines**

After discussion, the Board approved the revised criminal history guidelines.

## **OTHER BUSINESS**

### **Board Attorney Report**

#### Rule 61G5-29.001 – Definitions

The Board approved the suggested revised 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, and that this rule should not have a sunset provision.

#### Rule 61G5-29.011 – Endorsement of Specialty Registration

The Board approved the suggested revised 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, and that this rule should not have a sunset provision.

### **Executive Director Report**

#### Financial Report for Period Ending September 2022

Ms. Woodard reported that the balance in the Board's operating account as of September 30, 2022, was over \$2 million and the balance in the unlicensed activity account was over \$2.8 million for the same period.

### **Correspondence**

#### Complaints and Investigative Statistics – July 2022 – November 2022

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

#### Cosmetology Examination Summary – January 2022 – November 2022

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

### **Dates and Locations of Future Meetings Subject to Change**

March 6, 2023 – TBD Conference Call  
April 17-18, 2023 – Fernandina Beach  
June 19, 2023 - TBD Conference Call  
July 17-18, 2023 – Daytona Beach  
September 11, 2023 – TBD Conference Call  
October 16-17, 2023 – Orlando  
December 11, 2023 – TBD Conference Call

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at approximately 10:00 a.m.