



General Business Meeting

October 19 – 20, 2017
Sheraton Tampa East
10221 Princess Palm Avenue
Tampa, FL 33610
(813) 623-6363

MEETING MINUTES

CALL TO ORDER

The meeting was called to order by Ms. Nixon, Chair, at 9:00 am. Those present for all or part of the meeting included the following:

MEMBERS PRESENT

Lydia Nixon, LMT, Chair
Sharon Phillips, LMT, AP, DOM
Jennifer Wasylyna, LMT
Christopher Brooks, LMT
Victoria Drago, LMT

BOARD COUNSEL

Lee Ann Gustafson, Esq., *Senior Assistant Attorney General*

STAFF PRESENT

Kama Monroe, *Executive Director*
William E. Spooner, *Program Operations Administrator*
Gerry Nielsen, *Regulatory Supervisor*

DEPARTMENT PROSECUTING ATTORNEYS

Cecilie D. Sykes, Esq., *Assistant General Counsel*
Carrie McNamara, Esq., *Assistant General Counsel*
John Wilson, Esq., *Assistant General Counsel*

COURT REPORTER

Integra Reporting Group, LLC
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Tampa, FL 33606
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Please note: *The minutes reflect the actual order agenda items were discussed and may differ from the agenda outline.*

AUDIO from this meeting can be found online: <http://www.floridasmassagetherapy.gov/meeting-information/>

DISCIPLINARY PROCEEDINGS

Informal Hearings

01. BRIAN THOMAS PAULTER, LMT Case # 2014-02701 PCP: HARRISON/NIXON

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Wasylyna moved to revoke the license, assess a fine in the amount of \$2,500.00, and costs in the amount of \$926.28. Motion seconded by Mr. Brooks, which carried unanimously.

~~09. NA LIN, LMT Case # 2015-20227 PCP: BROOKS/WASYLYNA~~

~~Item continued (quorum)~~

13. FENGYING WANG, LMT Case # 2016-08307 PCP: HAVARD/BROOKS

Respondent was present with counsel, Michael Brown, Esq. Ms. Xing Cheung was also present and served as translator (Mandarin). Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to revoke the license and assess costs in the amount of \$162.34. Motion seconded by Ms. Wasylyna, which carried unanimously.

14. EDGAR F. FAJARDO, LMT Case # 2015-00733 PCP: DRAGO/HAVARD

Respondent was present without counsel. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Phillips moved to impose the following penalty:

- Pay a \$500 fine within 90 days of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$2069.56 payable within 1 year of the filing of the final order.
- Suspension until compliant with background screening requirements.

Motion seconded by Mr. Brooks, which carried unanimously.

~~37. XIAOJING CAO, LMT Case # 2016-21689 PCP: HAVARD/BROOKS~~

~~Item continued to allow for the addition of materials.~~

03. LISA J. BENN, LMT Case # 2015-15683 PCP: WHITRIDGE /
WASYLYNA

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$250.00 fine within 90 days of the filing of the final order.
- Reprimand.
- Assess costs in the amount of \$503.86 payable within 90 days of the filing of the final order.

Motion seconded by Ms. Drago, which carried 3/1, with Mr. Brooks in opposition.

04. JOLEEN ANNE JONES, LMT**Case # 2015-03749****PCP: WHITRIDGE/HAVARD**

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$500.00 fine within 90 days of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Pay costs in the amount of \$18.80 payable within 1 year of the filing of the final order.
- Reprimand

Motion seconded by Mr. Brooks, which carried unanimously.

05. ROBERT P. ARSCOTT, LMT**Case # 2015-03371****PCP: WHITRIDGE/HAVARD**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Wasylyna moved to impose the following penalty:

- Pay a \$1,500.00 fine within 1 year of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$37.62 payable within 1 year of the filing of the final order.
- Reprimand.

Motion seconded by Ms. Nixon, which carried unanimously.

RECESS 10:15 am
RETURN 10:20 am

(Settlement Agreement)**65. PURE SPA****Case # 2014-17042****PCP: HAVARD/DRAGO**

Respondent (Ms. Tauriman, owner) was present with Counsel, Alan Grossman, Esq. Ms. McNamara represented the department and presented the case to the Board.

Action Taken: After discussion, Mr. Brooks moved to amend the settlement agreement to reprimand and costs in the amount of \$2000.00. Motion seconded by Ms. Wasylyna, which carried 4/1 with Ms. Nixon in opposition. Respondent verbally accepted the amendment to the settlement agreement.

(Informal Hearings)**36. LIQING CAI, LMT****Case # 2014-18840****PCP: WALKER/DAVIS**

Respondent was present with counsel, Michael Raheb, Esq. Respondent requested that the hearing be continued.

Action Taken: After discussion, Ms. Nixon moved to continue. Motion seconded by Mr. Brooks, which carried unanimously.

06. GREENVIEW INTERNATIONAL CORP**Case # 2016-29233****PCP: WHITRIDGE/DRAGO**

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to revoke the license with aggravating factors on the record and assess costs in the amount of \$653.03 payable within 90 days of the filing of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

07. HUI S. DESKIN, LMT **Case # 2016-25997** **PCP: WHITRIDGE/DRAGO**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to revoke the license and assess costs in the amount of \$1686.71. Motion seconded by Mr. Brooks, which carried unanimously.

~~**08. YANFU LI, LMT** **Case # 2014-21366** **PCP: BROOKS/WASYLYNA**~~

Item continued (quorum)

10. SHOSHANA LYNN RICHARDSON, LMT **Case # 2016-15296** **PCP: HAVARD/BROOKS**

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$500.00 fine within 90 days of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$73.27.
- Reprimand.

Motion seconded by Ms. Drago, which carried unanimously.

11. REBECCA A. CHATOWSKY, LMT **Case # 2015-00893** **PCP: HAVARD/BROOKS**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to direct the Department to amend the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

12. REBECCA A. CHATOWSKY, LMT **Case # 2014-17106** **PCP: BURKE-WAMMACK/
WASYLYNA**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to direct the Department to amend the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

15. PETER A. FORD, LMT **Case # 2015-16249** **PCP: HAVARD/DRAGO**

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$250.00 fine within 90 days of the filing of the final order.
- Assess costs in the amount of \$13.44 payable within 90 days of the filing of the final order.
- Reprimand.

Motion seconded by Ms. Phillips, which carried unanimously.

16. WANDA N. NETTLES, LMT**Case # 2015-01008****PCP: HAVARD/DRAGO**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Mr. Brooks moved to impose the following penalty:

- Pay a \$500.00 fine within six months of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$551.43 payable within 6 months of the filing of the final order.

Motion seconded by Ms. Wasylyna, which carried unanimously.

17. HOLLY ANN PINNELL, LMT**Case # 2015-15655****PCP: HAVARD/PHILLIPS**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$250.00 fine within 90 days of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$5.37 payable within 90 days of the filing of the final order.
- Reprimand

Motion seconded by Mr. Brooks, which carried unanimously.

18. JACQUELYN SHEPARD, LMT**Case # 2014-17998****PCP: HAVARD/BROOKS**

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Drago moved to revoke the license and assess costs in the amount of \$1020.85. Motion seconded by Ms. Phillips, which carried unanimously.

Determination of Waivers**19. WON SUN HIMES, LMT****Case # 2015-01361****PCP: WHITRIDGE/HAVARD**

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to revoke the license and assess costs in the amount of \$30.31. Motion seconded by Mr. Brooks, which carried unanimously.

(Informal Hearings)**02. VIRGINIA WILSON, LMT****Case # 2015-15784****PCP: HAVARD/PHILLIPS**

Respondent was present without counsel. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Drago moved to impose the following penalty:

- Pay a \$250.00 fine within 6 months of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$13.43 payable within 6 months of the filing of the final order.

Motion seconded by Mr. Brooks, which carried 4/1, with Ms. Nixon in opposition.

20. KEVIN CARLOS OBREGON, LMT**Case # 2015-17733****PCP: PHILLIPS/BROOKS**

Item continued (quorum)

PULLED

RECESS 11:35 am
RETURN 11:45 am

(Settlement Agreements)

54. ROYCE M. WILLIAMS, LMT

Case # 2015-04014

PCP: WHITRIDGE/HAVARD

Respondent was present without counsel. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Mr. Brooks moved to accept the proposed settlement agreement and assess costs in the amount of \$468.14. Motion seconded by Ms. Nixon, which carried unanimously.

56. ANDREA M. BRADFORD, LMT

Case # 2015-22292

PCP: WHITRIDGE / WASYLYNA

Respondent was present without counsel. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to accept the proposed settlement agreement and assess costs in the amount of \$646.87. Motion seconded by Ms. Phillips, which carried unanimously.

(Determination of Waivers)

22. DEVAN CHRISTANSEN WEST, LMT

Case # 2015-15505

PCP: HAVARD/DRAGO

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a fine in the amount of \$250.00 within 90 days of the filing of the final order.
- Assess costs in the amount of \$6.72 payable within 90 days of the filing of the filing of the final order.
- Suspension until compliant with background screening requirements.
- Reprimand.

Motion seconded by Ms. Phillips, which carried unanimously.

23. JOANNA M. BAUGH, LMT

Case # 2015-16370

PCP: DRAGO/WASYLYNA

Item continued (quorum)

24. CHITH XAYAPHET, LMT

Case # 2015-08469

PCP: BROOKS/WASYLYNA

Item continued (quorum)

25. KEVIN PEREZ, LMT

Case # 2015-16564

PCP: BROOKS/WASYLYNA

Item continued (quorum)

26. JANERIS NEGRET, LMT

Case # 2015-14726

PCP: HAVARD/DRAGO

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Mr. Brooks moved to impose the following penalty:

- Pay a fine in the amount of \$250.00 within 90 days of the filing of the final order.
- Assess costs in the amount of \$1.34 within 90 days of the filing of the filing of the final order.
- Suspension until compliant with background screening requirements.
- Reprimand.

Motion seconded by Ms. Phillips, which carried unanimously.

27. ANA I. CEBALLOS, LMT**Case # 2015-12553****PCP: HAVARD/DRAGO**

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a fine in the amount of \$250.00 within 1 year of the filing of the final order.
- Assess costs in the amount of \$6.72 payable within 1 year of the filing of the filing of the final order.
- Reprimand.

Motion seconded by Ms. Phillips, which carried unanimously.

28. NELSY LUGO CORRALES, LMT**Case # 2015-12573****PCP: BROOKS/WASYLYNA**

Item continued (quorum)

29. RAINBOW VICK, INC., DBA ANNE SPA**Case # 2016-25904****PCP: HAVARD/BROOKS**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to revoke the license with aggravating factors on the record and assess costs in the amount of \$413.56 payable within 90 days of the filing of the final order.

Motion seconded by Ms. Drago, which carried unanimously.

30. BETHANY J. REIS, LMT**Case # 2015-12323****PCP: HAVARD/WHITRIDGE**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Mr. Brooks moved to impose the following penalty:

- Pay a \$250.00 fine within 90 days of the filing of the final order.
- Assess costs in the amount of \$9.40 payable within 90 days of the filing of the final order.
- Reprimand.

Motion seconded by Ms. Wasylyna, which carried unanimously.

31. BRITTNEY M. NIEMEYER, LMT**Case # 2015-00761****PCP: WHITRIDGE / WASYLYNA**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$1,500 fine within 1 year of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$29.55 payable within 1 year of the filing of the final order.
- Reprimand

Motion seconded by Mr. Brooks, which carried unanimously.

32. JOEL CHAVEZ, LMT**Case # 2015-03532****PCP: HAVARD/DRAGO**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Phillips moved to revoke the license and assess costs in the amount of \$1560.25. Motion seconded by Ms. Nixon, which carried unanimously.

33. BRANDON LEE RANDOLPH, LMT**Case # 2015-02844****PCP: HAVARD/BROOKS**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$500.00 fine within 1 year of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$36.27 payable within 90 days of the filing of the final order.

Motion seconded by Ms. Phillips, which carried unanimously.

34. SERENITY MESSAGE**Case # 2015-21599****PCP: HAVARD/DRAGO**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to revoke the license with aggravating factors on the record and assess costs in the amount of \$1339.29 payable within 90 days of the filing of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

35. KESHUNDRA D. DIXON, LMT**Case # 2015-15560****PCP: WASYLYNA/BROOKS**

Item continued (quorum)

38. ZACHARY V. SHOLL, LMT**Case # 2015-14946****PCP: DRAGO/HAVARD**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$250.00 fine within 180 days of the filing of the final order.
- Assess costs in the amount of \$961.80 payable within 180 days of the filing of the final order.
- Reprimand.

Motion seconded by Ms. Phillips, which carried unanimously.

39. COLONEL P. ADAMS, LMT**Case # 2014-22347****PCP: HAVARD/DRAGO**

Respondent was present without counsel. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Phillips moved to impose the following penalty:

- Pay a \$1,500.00 fine within 1 year of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$16.12 payable within 1 year of the filing of the final order.
- Reprimand.

Motion seconded by Ms. Nixon, which carried unanimously.

40. LESTER BYRES RALPH, LMT**Case # 2015-02886****PCP: WHITRIDGE/BROOKS**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$3,000.00 fine within 18 months of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$17.46 payable within 18 months of the filing of the final order.

Motion seconded by Ms. Wasylyna, which carried unanimously.

41. PRO SPA 1008, INC.**Case # 2016-17295****PCP: PHILLIPS/HAVARD**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Mr. Brooks moved to revoke the license and assess costs in the amount of \$327.93. Motion seconded by Ms. Nixon, which carried unanimously.

42. DEXTER TAYLOR, LMT**Case # 2016-08214****PCP: WHITRIDGE/HAVARD**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$500.00 fine within 1 year of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.
- Assess costs in the amount of \$488.10 payable within 1 year of the filing of the final order.

Motion seconded by Mr. Brooks, which carried unanimously.

43. KIKU SPA**Case # 2016-26783; 2016-28285****PCP: HAVARD/BROOKS**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to revoke the license and assess costs in the amount of \$531.32. Motion seconded by Ms. Wasylyna, which carried unanimously.

44. ODILE VIVIANE KAYE, LMT**Case # 2014-20514****PCP: WHITRIDGE/DRAGO**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to revoke the license and assess costs in the amount of \$52.39. Motion seconded by Mr. Brooks, which carried unanimously.

45. KEVIN WELCH, LMT**Case # 2016-17618****PCP: WHITRIDGE/BROOKS**

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to revoke the license and assess costs in the amount of \$2102.41 payable within one year of the filing of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

46. JENNIFER SPENCE, LMT**Case # 2016-00302****PCP: WHITRIDGE/DRAGO**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Mr. Brooks moved to revoke the license with aggravating factors on the record and assess costs in the amount of \$162.48. Motion seconded by Ms. Nixon, which carried unanimously.

47. THOMAS O. MOORE, LMT**Case # 2015-02620****PCP: WHITRIDGE/BROOKS**

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Phillips moved to revoke the license and assess costs in the amount of \$2051.05 payable within 1 year. Motion seconded by Ms. Nixon, which carried unanimously.

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to impose the following penalty:

- Pay a \$1,000 fine within 1 year of the filing of the final order.
- Assess costs in the amount of \$52.38 payable within 90 days of the filing of the final order.
- Complete a 10 hour Florida Laws and Rules course within 1 year of the filing of the final order.

Motion seconded by Ms. Phillips, which carried unanimously..

**RECESS 12:45 pm
RESUME 2:00 pm**

Settlement Agreements

71. STEPHANIE HULL, LMT

Case # 2015-02726

PCP: HAVARD/BROOKS

Respondent was present without counsel. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to accept the proposed settlement agreement and assess costs in the amount of \$490.18. Motion seconded by Ms. Wasylyna which carried unanimously.

59. CRYSTAL D. DUNCAN, LMT

Case # 2015-03028

PCP: WHITRIDGE/BROOKS

Respondent was present without counsel. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to amend the proposed settlement agreement to allow fines to be paid within 18 months and assess costs in the amount of \$973.30 to be paid within 18 months of the filing of the final order. Motion seconded by Ms. Drago, which carried unanimously.

48. WILGEN COBAS, LMT

Case # 2015-14306

PCP: PHILLIPS/HAVARD

Respondent was not present. Ms. McNamara represented the Department, and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to accept the proposed settlement agreement and assess costs in the amount of \$316.00. Motion seconded by Mr. Brooks, which carried unanimously.

Items 51, 52, 53, 55 were taken en masse.

51. CHRISTINA L. JACKSON, LMT

Case # 2014-17858

PCP: WHITRIDGE/HAVARD

Costs: \$849.37

52. JENNIFER DUPOUX, LMT

Case # 2015-16028

PCP: WHITRIDGE/HAVARD

Costs: \$697.71

53. TRAVIS B. EDMONSON, LMT

Case # 2014-20991

PCP: WHITRIDGE/HAVARD

Costs: \$503.06

55. MAYKEL HERNANDEZ ACOSTA, LMT

Case # 2016-13816

PCP: WHITRIDGE/HAVARD

Costs: \$642.54

Action Taken: After discussion, Ms. Nixon moved to accept the proposed settlement agreements and assess costs. Motion seconded by Mr. Brooks, which carried unanimously.

Items 57 and 72 were taken en masse.

- 57. MICHAEL G. LENOX, LMT** Case # 2015-16015 PCP: WHITRIDGE / WASYLYNA
Costs: \$569.57
- 72. WILLIAM WILSON, LMT** Case # 2015-04453 PCP: WHITRIDGE / WASYLYNA
Costs: \$1340.71

Action Taken: After discussion, Ms. Nixon moved to accept the proposed settlement agreements and assess costs. Motion seconded by Mr. Brooks, which carried unanimously.

- ~~**60. JOSE ALBERRO, LMT** Case # 2015-16493 PCP: DRAGO/WASYLYNA~~
Item continued (quorum)

Items 63 and 64 were taken en masse.

- 63. SUSAN L. PHILLIPS, LMT** Case # 2015-16641 PCP: HAVARD/DRAGO
Costs: \$321.78
- 64. VICTORIA DAWN SULLIVAN, LMT** Case # 2014-22044 PCP: HAVARD/DRAGO
Costs: \$2,500.00

Action Taken: After discussion, Ms. Nixon moved to accept the proposed settlement agreements and assess costs. Motion seconded by Ms. Wasylyna, which carried unanimously.

Items 66, 67, 69 and 70 were taken en masse.

- 66. LINDSEY RICHARDS, LMT** Case # 2016-21565 PCP: HAVARD/BROOKS
Costs: \$600.00
- 67. CORY MICHAEL LEBLANC, LMT** Case # 2014-18341 PCP: HAVARD/BROOKS
Costs: \$730.83
- 69. HI XIAN BIAN, LMT** Case # 2014-15985 PCP: HAVARD/BROOKS
Costs: \$463.97
- 70. KRISTIN KOEHLER, LMT** Case # 2015-13312 PCP: HAVARD/BROOKS
Costs: \$300.37

Action Taken: After discussion, Ms. Nixon moved to accept the proposed settlement agreements and assess costs. Motion seconded by Ms. Drago, which carried unanimously.

- 49. HEATHER J. STRICKER, LMT** Case # 2015-15437 PCP: HAVARD/PHILLIPS

Action Taken: After discussion, Ms. Nixon moved to accept the proposed settlement agreement and assess costs in the amount of \$239.84. Motion seconded by Ms. Phillips, which carried unanimously.

- ~~**50. KIMBERLY KRISTIN CAIN, LMT** Case # 2015-02874 PCP: PHILLIPS/HAVARD~~
Item continued (quorum)

58. MICHELLE DARNELL, LMT

Case # 2014-21284 PCP: WHITRIDGE / WASYLYNA

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to accept the settlement agreement and assess costs in the amount of \$1000.00. Motion seconded by Ms. Drago, which carried unanimously.

61. CHANTELL M. L. HARRINGTON, LMT

Case # 2015-03436

PCP: BURKE-WAMMACK / WASYLYNA

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to reject the settlement agreement and direct the Department to amend the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

62. JUAN A. TORRES III, LMT

Case # 2016-17883

PCP: WHITRIDGE/DRAGO

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to reject the settlement agreement and direct the Department to amend the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

68. YING ZI XUAN, LMT

Case # 2014-21365

PCP: HAVARD/BROOKS

Respondent was not present. Ms. Sykes represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to reject the settlement agreement. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to offer a counteroffer of revocation. Motion seconded by Ms. Wasylyna, which carried unanimously.

Voluntary Relinquishments

Items 73, 74, 75, 76, 82, 83, and 86 were taken en masse.

73. RACIEL AMIGO, LMT

Case # 2017-10202

PCP: WAIVED

74. SHENGJUAN YANG, LMT

Case # 2017-07235

PCP: WAIVED

75. JIN L. LIN, LMT

Case # 2017-07228

PCP: WAIVED

76. OSMEL A. PADROZA, LMT

Case # 2011-13042

PCP: HARRISON/OLIVER /BURKE-WAMMACK

82. SHARON SON, LMT

Case # 2015-14705

PCP: HARRISON/HAVARD

83. JOSE BANOS, LMT

Case # 2015-15102

PCP: HARRISON/HAVARD

86. JEONG THURSTON, LMT

Case # 2015-09467

PCP: WHITRIDGE/HAVARD

Action Taken: After discussion, Ms. Nixon moved to accept the voluntary relinquishments. Motion seconded by Ms. Phillips, which carried unanimously.

Items 80, 87 and 92 were taken en masse.

80. LOURDES ESTRELLA RODRIGUEZ, LMT	Case # 2015-13313	PCP: HAVARD/DRAGO
87. NANCY F. COKER, LMT	Case # 2014-22252	PCP: HAVARD/DRAGO
92. QIN ZHANG, LMT	Case # 2015-14194	PCP: HAVARD/DRAGO

Action Taken: After discussion, Ms. Nixon moved to accept the voluntary relinquishments. Motion seconded by Ms. Drago, which carried unanimously.

Items 81, 88, 89, 93, 94, 95 and 96 were taken en masse.

81. ANNE SPA, INC.	Case # 2016-09569	PCP: WHITRIDGE/BROOKS
88. LYDIA ESTHER SUA0, LMT	Case # 2016-20995	PCP: BROOKS/HAVARD
89. ELISSA PAM ROSS, LMT	Case # 2015-16659	PCP: WHITRIDGE/BROOKS
93. LIMEI ZHAO, LMT	Case # 2015-14307	PCP: HAVARD/BROOKS
94. SABRINA HUGHES, LMT	Case # 2015-15421	PCP: HAVARD/BROOKS
95. DENISE ANDERSON, LMT	Case # 2015-18345	PCP: HAVARD/BROOKS
96. OSMANY ACOSTA, LMT	Case # 2015-18345	PCP: BROOKS/HAVARD

Action Taken: After discussion, Ms. Nixon moved to accept the voluntary relinquishments. Motion seconded by Ms. Drago, which carried unanimously.

~~77. ASIEL DE PEDRO, LMT Case # 2015-14054 PCP: BROOKS/WASYLYNA~~

~~Item continued (quorum)~~

~~78. NANCY LEIGH HAPPEL, LMT Case # 2015-14246 PCP: WASYLYNA/DRAGO~~

~~Item continued (quorum)~~

~~79. LEYDI PAOLA PUIN, LMT Case # 2015-14064 PCP: WASYLYNA/DRAGO
HARRISON/HAVARD~~

~~90. MIYAKO TAMURA, LMT Case # 2015-12351 PCP: WASYLYNA/DRAGO~~

~~Item continued (quorum)~~

Items 84, 85 and 91 were taken en masse.

84. COLIN MCLOUGLIN LANE	Case # 2015-14843	PCP: PHILLIPS/HAVARD
85. MEGAN NICOLE SHEPPARD, LMT	Case # 2015-14391	PCP: PHILLIPS/HAVARD
91. BAL HARB TOWER CONDO ASSOC INC.	Case # 2016-05706	PCP: PHILLIPS/HAVARD WHITRIDGE

Action Taken: After discussion, Ms. Nixon moved to accept the voluntary relinquishments. Motion seconded by Ms. Drago, which carried unanimously.

Recommended Orders

97. SUHUA ZHANG, LMT Case # 2015-05128 / DOAH # 17-002751PL PCP: WHITRIDGE/HAVARD

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken:

Ms. Phillips moved to accept the findings of fact as presented in the Recommended Order. Motion seconded by Ms. Nixon, which carried unanimously.

Ms. Phillips moved to accept the conclusions of law as presented in the Recommended Order. Motion seconded by Ms. Nixon, which carried unanimously.

Ms. Phillips moved to adopt the recommended penalty as presented in the Recommended Order. Motion seconded by Ms. Nixon, which carried unanimously.

Mr. Brooks moved to grant the Department's motion to bifurcate and retain jurisdiction for costs. Motion seconded by Ms. Nixon, which carried unanimously.

98. RANJIE XU, LMT Case # 2010-23066 / DOAH # 16-005478PL PCP: HARRISON/STOEHS

Respondent was not present. Ms. McNamara represented the Department and presented the case to the Board.

Exceptions:

Ms. Drago moved to reject the respondent's exception in paragraph 3. Motion seconded by Mr. Brooks, which carried unanimously.

Ms. Wasylyna moved to reject the respondent's exception in paragraph 5. Motion seconded by Mr. Brooks, which carried unanimously.

Ms. Phillips moved to reject the respondent's exception in paragraph 6. Motion seconded by Ms. Drago, which carried unanimously.

Ms. Phillips moved to reject the respondent's exception in paragraph 7. Motion seconded by Ms. Wasylyna, which carried unanimously.

Ms. Nixon moved to reject the respondent's exception in paragraph 8. Motion seconded by Ms. Phillips, which carried unanimously.

Ms. Drago moved to reject the respondent's exception in paragraph 9. Motion seconded by Ms. Phillips, which carried unanimously.

Ms. Drago moved to reject the respondent's exception in paragraph 10. Motion seconded by Ms. Phillips, which carried unanimously.

Ms. Drago moved to reject the respondent's exception in paragraph 11. Motion seconded by Ms. Nixon, which carried unanimously.

Ms. Drago moved to reject the respondent's exception in paragraph 12. Motion seconded by Ms. Wasylyna, which carried unanimously.

Ms. Phillips moved to reject the respondent's exception to the conclusions of law. Motion seconded by Ms. Nixon, which carried unanimously.

Ms. Wasylyna moved to reject the respondent's exception to the recommended penalty and further exceptions in paragraphs 15, 16, 17, and 18, insofar as the language in respondent's motion can be considered an exception. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken:

Ms. Phillips moved to accept the findings of fact as presented in the Recommended Order. Motion seconded by Ms. Drago, which carried unanimously.

Ms. Wasylyna moved to accept the conclusions of law as presented in the Recommended Order. Motion seconded by Ms. Drago, which carried unanimously.

Ms. Wasylyna moved to adopt the penalty as presented in the Recommended Order. Motion seconded by Ms. Nixon, which carried unanimously.

Ms. Nixon moved to grant the Department's motion for costs in the amount of \$24,044.56 and moved that the costs be payable in two years. Motion seconded by Ms. Drago, which carried unanimously.

99. XUMEI SUN, LMT Case # 2015-31658 / DOAH # 17-3336PL PCP: WHITRIDGE/BROOKS

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken:

Ms. Drago moved to accept the findings of fact as presented in the Recommended Order. Motion seconded by Ms. Phillips, which carried unanimously.

Ms. Nixon moved to accept the conclusions of law as presented in the Recommended Order. Motion seconded by Ms. Phillips, which carried unanimously.

Ms. Nixon moved to adopt the penalty as presented in the Recommended Order. Motion seconded by Ms. Wasylyna, which carried unanimously.

Ms. Nixon moved to grant the Department's motion for costs in the amount of \$4,709.09 and moved that the costs be payable in one year. Motion seconded by Ms. Drago, which carried unanimously.

100. ERNESTO RODRIGUEZ, LMT Case # 2017-02681 / DOAH # 17-3336PL PCP: WHITRIDGE/DRAGO

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken:

Ms. Nixon moved to accept the findings of fact as presented in the Recommended Order. Motion seconded by Ms. Phillips, which carried unanimously.

Ms. Drago moved to accept the conclusions of law as presented in the Recommended Order. Motion seconded by Mr. Brooks, which carried unanimously.

Ms. Nixon moved to adopt the penalty as presented in the Recommended Order. Motion seconded by Mr. Brooks, which carried unanimously.

Ms. Nixon moved to grant the Department's motion for costs in the amount of \$12,375.79 and moved that the costs be payable in one year. Motion seconded by Mr. Brooks, which carried unanimously.

Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken:

Ms. Phillips moved to accept the findings of fact as presented in the Recommended Order. Motion seconded by Ms. Drago, which carried unanimously.

Ms. Wasylyna moved to accept the conclusions of law as presented in the Recommended Order. Motion seconded by Ms. Drago, which carried unanimously.

Ms. Nixon moved to adopt the penalty as presented in the Recommended Order. Motion seconded by Ms. Nixon, which carried unanimously.

Ms. Nixon moved to grant the Department's motion to bifurcate and retain jurisdiction for costs. Motion seconded by Ms. Drago, which carried unanimously.

REPORTS**Review and Approval of Minutes****July 27-28, 2017 – General Business Meeting**

Ms. Nixon moved to accept the minutes as presented. Motion seconded by Mr. Brooks, which carried unanimously.

September 6, 2017 – Conference Call

Ms. Nixon moved to accept the minutes as presented. Motion seconded by Mr. Brooks, which carried unanimously.

Prosecutor's Report**Prosecution Services Update**

Mr. Wilson gave a verbal accounting of the report as presented.

Ms. Nixon moved to allow the Department to continue prosecution of cases over one year old. Motion seconded by Mr. Brooks, which carried unanimously.

Board Counsel's Report – Lee Ann Gustafson, Esq.**September 2017 Rules Report****October 2017 Rules Report****Annual Regulatory Plan 2017-2018**

Ms. Gustafson gave a verbal accounting of the reports and Annual Regulatory Plan as presented.

Board Chair Report – Lydia Nixon

Ms. Nixon reported attended the FSMTB annual meeting, and served on the Human Trafficking Task Force. Materials were provided to the Board from this task force. Ms. Nixon also reported on the proposed resolutions brought forth at the FSMTB.

There was some discussion on education requirements and ELAP, and about deregulation in some states.

RESOLUTIONS:

First resolution did not pass, as it should have been an amendment.

Second resolution did not pass, as it should have been an amendment.

Third resolution passed 21/14 – raised concern about schools being testing sites.

Legislative Liaison Report – Lydia Nixon

Unlicensed Activity Report – Lydia Nixon

Vice Chair Report – Robyn Havard

Budget Liaison Report – Robyn Havard

Executive Director's Report – Kama Monroe

Ratification of Licensure – July 15, 2017 – October 9, 2017

Ms. Nixon moved to ratify the licenses as presented. Motion seconded by Mr. Brooks, which carried unanimously.

Board Expenditures by Function

Human Trafficking Summit

FSMTB Annual Business Meeting

School Liaison Report – Sharon Phillips

Rules Liaison Report – Sharon Phillips

Continuing Education Liaison Report – Chris Brooks

Approved Continuing Education Providers – July 15, 2017 – October 9, 2017

Mr. Brooks moved to ratify the CE Providers as listed. Motion seconded by Ms. Nixon, which carried unanimously.

Approved Pro-Bono Requests – July 15, 2017 – October 9, 2017

Mr. Brooks moved to ratify pro-bono requests as listed. Motion seconded by Ms. Nixon, which carried unanimously.

Public Relations Liaison Report – Victoria Drago

Healthiest Weight Liaison Report – Victoria Drago

RULES DISCUSSION

64B7-25.001 – Examination Requirements

Ms. Phillips moved to accept the proposed language. Motion seconded by Mr. Brooks, which passed unanimously.

SERC:

Ms. Nixon moved that the proposed language would not have a negative impact on regulatory cost or small businesses. Motion seconded by Ms. Drago, which carried unanimously.

Ms. Nixon moved that the proposed language is not a minor violation. Motion seconded by Mr. Brooks, which carried unanimously.

64B7-28.010 – Requirements for Board Approval of Continuing Education Programs

Ms. Wasylyna moved to accept the proposed language. Motion seconded by Ms. Phillips, which passed unanimously.

SERC:

Ms. Nixon moved that the proposed language would not have a negative impact on regulatory cost or small businesses. Motion seconded by Ms. Drago, which carried unanimously.

Mr. Brooks moved that the proposed language is not a minor violation. Motion seconded by Ms. Nixon, which carried unanimously.

GENERAL BUSINESS DISCUSSION

INFORMATIONAL

Friday, October 20, 2017

ADMINISTRATIVE PROCEEDINGS

Request for Informal Hearing

101. WEN, FUNU CASE # 2014-17391

Applicant was present with counsel.

Action Taken: After discussion, Ms. Nixon moved to vacate the final order entered on February 3, 2017. Motion seconded by Mr. Brooks, which carried unanimously.

Applicants with History

102. ANDERSON, ALICIA HOWELL File # 93891

Applicant was present without counsel.

Action Taken: After discussion, Ms. Phillips moved to grant the license with the following conditions:

- PRN Evaluation to be completed within 90 days of the filing of the final order.

Motion seconded by Ms. Nixon, which carried unanimously.

103. BOYCE, TANYA File # 92434

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to grant the license with the following conditions:

- Pay \$500.00 administrative fine within 90 days of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Phillips, which carried unanimously.

104. HARDING, CINDY L File # 93783

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to grant the license with the following conditions:

- PRN Evaluation to be completed prior to the issuance of the license.

Motion seconded by Mr. Brooks, which carried unanimously.

105. JIANG, LI File # 94098

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which carried unanimously.

106. LEBEAU, MADISON **File # 93961**

Applicant was present without counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which carried unanimously.

107. LI, MEIJU **File # 93528**

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to deny the license for the following reasons:

- Previous criminal history

Motion seconded by Ms. Wasylyna, which carried unanimously.

108. LIU, TIXIU **File # 90942**

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to deny the license for the following reasons:

- Previous criminal history

Motion seconded by Ms. Drago, which carried unanimously.

109. LONG, JOSHUA KEITH **File # 94113**

Applicant was not present.

Action Taken: After discussion, Ms. Phillips moved to grant the license with the following conditions:

- Pay \$500.00 administrative fine within 90 days of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 90 days of the filing of the final order.

Motion seconded by Mr. Brooks, which carried unanimously.

110. LOVETTO, PETER ANDREW **File # 93050**

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to grant the license with the following conditions:

- Pay \$500.00 administrative fine within 90 days of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Phillips, which carried unanimously.

111. OVERREIN, JOSEPH ANDREW **File # 93050**

Applicant was present.

Action Taken: After discussion, Ms. Nixon moved to grant the license with the following conditions:

- Pay \$1,500.00 administrative fine within 1 year of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Drago, which carried unanimously.

112. QI, SULING**File # 90748**

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered.

- Previous disciplinary history

Motion seconded by Mr. Brooks, which carried unanimously.

113. REN, JUNPING**File # 93771**

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to deny the license for the following reasons:

- Previous criminal history

Motion seconded by Ms. Phillips, which carried unanimously.

114. TRONO, LEONILO VIKTOR**File # 91177**

Applicant was present without counsel.

Action Taken: After discussion, Mr. Brooks moved to grant the license with the following conditions:

- Pay \$500.00 administrative fine within 180 days of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Wasylyna, which carried unanimously.

115. VAZQUEZ, BIANCA**File # 93265**

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to grant the license with the following conditions:

- Pay \$500.00 administrative fine within 90 days of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Phillips, which carried unanimously.

116. VETTER, LAURA**File # 89813**

Applicant was not present.

Action Taken: After discussion, Ms. Nixon moved to grant the license with the following conditions:

- Pay \$1500.00 administrative fine within 90 days of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Mr. Brooks, which carried unanimously.

A-03. SANTIAGO, SONJA TAMARA**File # 93840**

Applicant was not present.

Action Taken: After discussion, Ms. Phillips moved to grant the license with the following conditions:

- Pay \$2000.00 administrative fine within 18 months of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Mr. Brooks, which carried unanimously.

Applicant was present without counsel.

Action Taken: After discussion, Ms. Nixon moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which carried unanimously.

Petitions for Variance or Waiver

117. DRURY, JANET

File # 42127

Applicant was not present. Petition was dismissed without finding.

118. ELLIS, CORY

File # N/A

Applicant was not present. Petition was dismissed without finding.

119. GARAY, SARAH

License # MA58311

Applicant was not present. Petition was dismissed without finding.

120. GARCIA, RACHEL

File # 93510

Applicant was not present. Petition was dismissed without finding.

Action Taken: After discussion, Ms. Nixon moved to deny the application. Motion seconded by Mr. Brooks, which carried unanimously.

121. GERARDI, ALISON R.

File # 90618

Applicant was present. Applicant verbally withdrew application for waiver.

Action Taken: After discussion, Ms. Wasylyna moved to accept the New York State Exam as equivalent to the Florida State Exam administered prior to 1996 and grant the license unencumbered. Motion seconded by Mr. Brooks, which carried 4/1 with Ms. Nixon in opposition.

122. GRAHAM, LADONNA

File # 36846

Applicant was not present. Petition was dismissed without finding.

123. JACKSON, ARIEL T

License # MA61055

Applicant was not present. Ms. Jackson's mother spoke on behalf of Ms. Jackson. Ms. Jackson verbally withdrew the petition.

124. MOONEY, JOHN

License # MA20401

Applicant was not present. Petition dismissed without finding.

125. PRATER, JIE HE

File # 93397

Action Taken: After discussion, Ms. Phillips moved to deny the petition. Motion seconded by Ms. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to deny the application based on previous disciplinary history in Tennessee. Motion seconded by Ms. Nixon, which carried unanimously.

126. VELEZ, KIMBERLY

File # 93137

Action Taken: After discussion, Ms. Nixon moved to grant the petition for variance or waiver. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: Ms. Nixon moved to grant the license unencumbered. Motion seconded by Mr. Brooks, which carried unanimously.

127. VENTRE, DIANE

File # 89899

Action Taken: After discussion, Ms. Phillips moved to deny the petition for variance or waiver. Motion seconded by Ms. Wasylyna, which carried unanimously.

Additional Action Taken: Ms. Nixon moved to deny the license. Motion seconded by Ms. Wasylyna, which carried unanimously.

Petitions for Declaratory Statement

128. VANOVER, ANGELIQUE

License # MA81100

Not present. Petition dismissed without finding.

OLD BUSINESS

NEW BUSINESS

ADJOURN