



General Business Meeting

General Business Meeting

April 19-20, 2018

9:00 a.m., ET

Aloft of Tallahassee Downtown

200 North Monroe Street

Tallahassee, FL 32301

(850) 513-0313

MEETING MINUTES

CALL TO ORDER

The meeting was called to order by Ms. Havard, Chair, at 9:02 am. Those present for all or part of the meeting included the following:

MEMBERS PRESENT

Robyn Dohn Havard, PLCS, Chair
Victoria Drago, LMT, Vice-Chair
Sharon Phillips, LMT, AP, DOM
Lydia Nixon, LMT
Jennifer Wakeman, LMT
Christopher Brooks, LMT

BOARD COUNSEL

Lee Ann Gustafson, Esq., Assistant Attorney General

STAFF PRESENT

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

Marion Roadarmel, Regulatory Specialist II
Samantha Cremer, Regulatory Specialist II
Dwayne Godwin, Regulatory Specialist II

DEPARTMENT PROSECUTING ATTORNEYS

Louise St. Laurent, Esq. Deputy General Counsel
John Wilson, Esq. Assistant General Counsel
Christina Shideler, Esq. Assistant General Counsel
Raj Misra, Esq. Assistant General Counsel
Kristen Summers, Esq. Assistant General Counsel
Gerald Henley, Esq. Assistant General Counsel
Derrick McBurrows, Esq. Assistant General Counsel

Sheryl Ellis, Esq. Assistant General Counsel
Eric Fryson, Esq. Assistant General Counsel
Kimberly Marshall, Esq. Assistant General Counsel
Lealand McCharen, Esq. Assistant General Counsel
Cecilie Dale Sykes, Esq. Assistant General Counsel
Virginia Edwards, Esq. Assistant General Counsel
Mary Iglehart, Esq. Assistant General Counsel

COURT REPORTER

Suzette Bragg,
American Court Reporting Services

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.floridasmassage.com/meeting-information/>

Thursday, April 19, 2018

I. DISCIPLINARY PROCEEDINGS

A. Recommended Orders

01. Jorge L. Pruneda, LMT Case # 2016-28331 / DOAH # 17-2964PL PCP: Phillips / Havard

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2016) through 480.0635, F.S. (2016) and/or 64B7-26.010, F.A.C.
- 480.046(1)(p), F.S. (2016) through 480.046(1)(i), F.S. (2016) by violating Rule 64B7-35.001(5), F.A.C.

Action Taken: After discussion, Ms. Nixon moved to accept the Administrative Law Judge’s findings of fact. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the Administrative Law Judge’s conclusions of law. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the Administrative Law Judges’ recommended order penalties: revocation of the license, a \$3,500.00 fine and costs. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the department’s request to bifurcate the motion and retain jurisdiction to assess costs. Motion seconded by Ms. Nixon, which carried unanimously.

02. Nancy Jane Reed, LMT Case # 2017-01561 / DOAH # 17-2459PL PCP: Drago / Havard

Respondent was not present. Suzanne Suarez Hurley, Esq. was present. Ms. Summers represented the Department and presented the case to the Board.

Allegations in the Complaint:

- 480.046(1)(h), F.S. (2016)

Action Taken: After discussion, Mr. Brooks moved to accept the Administrative Law Judge’s findings of fact. Motion seconded by Ms. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the Administrative Law Judge’s conclusions of law. Motion seconded by Ms. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to dismiss the case. Motion seconded by Ms. Wakeman, which carried unanimously.

03. David Andrew Crawford, LMT Case # 2017-06245 / DOAH # 17-6176PL PCP: Drago / Wakeman

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. through 480.0485, F.S., and rule 64B7-26.010, F.A.C.

Action Taken: After discussion, Mr. Brooks moved to accept the Administrative Law Judge’s findings of fact. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to accept the Administrative Law Judge’s conclusions of law. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to adopt the penalties in the recommended order (revocation, \$2,500.00 fine). Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$6664.70, to be paid within 30 days. Motion seconded by Ms. Havard, which carried unanimously.

04. Qian Gao, LMT Case # 2015-29207 / DOAH # 17-3337PL PCP: Drago / Whitridge

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

Action Taken: After discussion, Ms. Havard moved to adopt the motion to assess costs, and to assess costs in the amount of \$10,192.17. Motion seconded by Mr. Brooks, which carried unanimously.

05. BBK Florida, LLC Case # 2017-01000 / DOAH # 17-5473PL PCP: Havard / Whitridge

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. through 480.046(1)(f), F.S. (2016)

Exceptions:

Petitioner’s Exception 1: Penalty of revocation, fine in the amount of \$1,000.00 to be paid within 30 days.

Action Taken: After discussion, Ms. Phillips moved to grant the department’s exception and to increase the penalty. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to accept the Administrative Law Judge’s findings of fact. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the Administrative Law Judge’s conclusions of law. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to accept the recommended penalty with the department’s exception. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to bifurcate the motion and retain jurisdiction to assess costs. Motion seconded by Ms. Drago, which carried unanimously.

06. Blake C. Rice, LMT

Case # 2016-23787 / DOAH # 17-2441PL PCP: Brooks / Drago

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. through 480.0485, F.S. and/or 64B7-26.010, F.A.C.

Action Taken: After discussion, Ms. Havard moved to accept the Administrative Law Judge’s findings of fact. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the Administrative Law Judge’s conclusions of law. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to accept the penalties in recommended order (revocation, \$2,500.00 fine). Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to bifurcate the motion and retain jurisdiction to assess costs. Motion seconded by Ms. Phillips, which carried unanimously.

B. Informal Hearings

~~07. Asian Massage Case # 2010-01536 PCP: Harrison / Steehs~~

Continued at the request of the Department.

08. Salina Briseno, LMT Case # 2014-20831 PCP: Wakeman / Whitridge

Respondent was present without Counsel. Ms. Shideler represented the Department and presented the case to the Board.

Allegations in the Complaint:

- 480.046(1)(o), F.S. (2009) through 456.072(1)(m), F.S. (2009)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to impose a fine in the amount of \$500.00 and costs in the amount of \$20.15 to be paid within 6 months of the entry of the final order with mitigating factors on the record. Motion seconded by Ms. Phillips, which carried unanimously.

09. Eduardo Campos, Jr. LMT Case # 2014-20780 PCP: Drago / Phillips

Respondent was present with Counsel, Kim Fernandez, Esq. Ms. Ellis represented the Department and presented the case to the Board.

Allegations in the Complaint:

- 480.046(1)(o), F.S. (2007) through 456.016(1)(m) F.S. (2007)
- 480.046(1)(o), F.S. (2007) through 456.016(1)(c) F.S. (2007)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$500.00 and assess costs in the amount of \$16.13 to be paid within 90 days of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion Mr. Brooks moved to amend the record to include mitigating factors. Motion seconded by Ms. Havard, which carried unanimously.

10. Rebecca A. Chatowsky, LMT Case # 2014-17106 PCP: Wakeman / Burke-Wammack

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

Allegations in the Complaint:

- 455.624(1)(w), F.S. 1999

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to impose a fine in the amount of \$500.00 and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$225.63 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

11. Joannet Hassan Plasencia, LMT Case # 2015-12631 PCP: Havard / Wakeman

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

Allegations in the Complaint:

- 480.046(1)(p) through 480.041(6), F.S.

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Mr. Brooks, which carried unanimously

Additional Action Taken: After discussion, Mr. Brooks moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Phillips moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$250.00 to be paid within 90 days of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Drago moved to assess costs in the amount of \$308.12 to be paid within 90 days of the entry of the final order. Motion was seconded by Mr. Brooks, which carried unanimously.

12. SSMR Enterprises, Inc.

Case # 2015-31425

PCP: Drago / Wakeman

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

Allegations in the Complaint:

- 480.046(1)(f), F.S. (2015)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Phillips, which carried unanimously

Additional Action Taken: After discussion, Mr. Brooks moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to revoke the license with aggravating factors on the record. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$362.96 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

13. Shana Rain Santalla, LMT

Case # 2015-13581

PCP: Drago / Brooks

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to impose a fine in the amount of \$1,000.00 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$9.02 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

14. Lihong Wang, LMT

Case # 2014-20485

PCP: Drago / Phillips

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

Allegations of the Complaint:

- 480.046(1)(o), F.S. (2010) through 456.072(1)(m), F.S. (2010)
- 480.046(1)(o), F.S. (2007) through 456.072(1)(c), F.S. (2007)

Action Taken: After discussion, Ms. Wakeman moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to revoke the license and assess costs in the amount of \$65.08 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

15. Eun Y Park, LMT

Case # 2016-11103

PCP: Havard / Drago

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

Allegations of the Complaint:

- 480.046(1)(o), F.S. (2010) through 456.072(1)(c), F.S. (2010)

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to revoke the license. Motion seconded by Ms. Wakeman, which carried unanimously.

16. Amber Marie Lawson Griggs, LMT Case # 2015-14157

PCP: Havard / Drago

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

Allegations of the Complaint:

- 480.046(1)(p), F.S. through 480.041(6), F.S.

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to impose a fine in the amount of \$1,000.00 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$23.04 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

17. Erickson Family Chiropractic

Case # 2016-06680

PCP: Havard / Phillips

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

Allegations of the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.043(12), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved that the investigative report be accepted as evidence for the purposes of imposing a penalty. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to impose a fine in the amount of \$1,000.00 and costs in the amount of \$30.14 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies the background screening requirements, with mitigating factors on the record. Motion seconded by Ms. Drago, which carried 5/1 with Nixon in opposition.

18. Irina Pismenny, LMT

Case # 2015-13470

PCP: Havard / Phillips

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

Allegations of the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved that the investigative report be accepted as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to impose a fine in the amount of \$250.00 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried 5/1 with Ms. Wakeman in opposition.

Additional Action Taken: After discussion, Ms. Nixon moved to assess costs in the amount of \$40.29 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

19. Golds Gym N/K/A Suncoast Fitness Case # 2016-05573

PCP: Havard / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.043(12), F.S. (2014)

Action Taken: After discussion, Ms. Nixon moved that the investigative report be accepted as evidence. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to find the respondent was properly served and requested an informal hearing. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to impose a fine in the amount of \$1,000.00 to be paid with 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$43.67 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

(E. Determination of Waivers)

72. Florida Oasis Massage and Spa, Inc. Case # 2016-23410

PCP: Wakeman / Whitridge

73. Hong Sun, LMT

Case # 2016-22657

PCP: Wakeman / Whitridge

Respondent was not present. Richard Brown, Esq. was present. Ms. Iglehart represented the Department and presented the case to the Board.

Allegations in the Complaint (2016-23410):

- 480.046(1)(p), F.S. (2016) through 64B7-26.010, F.A.C.

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Phillips moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved revoke the license and impose a fine in the amount of \$2,500.00 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Phillips moved to assess costs in the amount of \$293.86 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Allegations in the Complaint (2016-22657):

- 456.072(1)(c), F.S. (2016)
- 480.046(1)(p), F.S. (2016) through 480.0485 F.S. (2016)

Action Taken: After discussion, Ms. Phillips moved to dismiss count 1. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to revoke the license and impose a fine in the amount of \$2,500 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Phillips moved to assess costs in the amount of \$318.55 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

C. Settlement Agreements

20. ~~Mi R. Lee, LMT~~ Case # ~~2015-00964~~ PCP: ~~Walker / Davis~~

Continued at the request of the Department.

21. Amy M. Hutto, LMT Case # 2014-14298 PCP: Wakeman / Whitridge

Respondent was not present. Ms. Shideler represented the Department and presented the proposed settlement agreement to the Board.

Action Taken: After discussion, Ms. Phillips moved to accept the proposed settlement agreement with costs in the amount of \$548.97. Motion seconded by Ms. Havard, which carried unanimously.

22. Ingrid DeJesus, LMT Case # 2015-05057 PCP: Wakeman / Whitridge

Respondent was present without Counsel. Ms. Shideler represented the Department and presented the proposed settlement agreement to the Board.

Action Taken: After discussion, Mr. Brooks moved to accept the proposed settlement agreement with costs in the amount of \$645.44. Motion seconded by Ms. Drago, which carried unanimously.

23. Ronald J. Baldwin, LMT Case # 2014-20845 PCP: Wakeman / Whitridge

Respondent was not present. Mr. Fryson represented the Department and presented the proposed settlement agreement to the Board.

Action Taken: After discussion, Ms. Phillips moved to reject the settlement agreement and direct the Department to make a counteroffer increasing the fine to \$1,500.00; all other stipulations would remain the same. Motion seconded by Ms. Wakeman, which carried unanimously.

24. Haiyan Zhang, LMT Case # 2015-18548 PCP: Wakeman / Whitridge

Respondent was present with Counsel, Mr. Roelke. Mr. Fryson represented the Department and presented the proposed settlement agreement to the Board.

Action Taken: After discussion, Ms. Nixon moved to reject the settlement and direct the Department to make a counteroffer of revocation. Motion seconded by Ms. Phillips, which carried unanimously.

25. Norma I. Cabezas, LMT Case # 2016-16968 PCP: Drago / Wakeman

Respondent was not present. Mr. Fryson represented the Department and presented the proposed settlement agreement to the Board.

Action Taken: After discussion, Ms. Havard moved to accept the proposed settlement agreement with costs in the amount of \$757.90. Motion seconded by Mr. Brooks, which carried unanimously.

Items 26 and 27 were taken en masse.

26. Catalina Egana, LMT Case # 2015-13820 PCP: Drago / Wakeman- \$320.47

27. Saoris Toirac, LMT Case # 2014-20521 PCP: Drago / Wakeman- \$385.13

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

28. Jaynell F. Bristol, LMT Case # 2015-30113 PCP: Drago / Wakeman

Respondent was not present. Mr. Fryson represented the Department and presented the proposed settlement agreement to the Board.

Action Taken: After discussion, Ms. Phillips moved to reject the proposed settlement agreement and direct the Department to amend the proposed settlement agreement to include suspension until all fines and costs from both cases are paid. Motion seconded by Ms. Havard, which carried unanimously.

29. Alexander B. Greye, LMT

Case # 2015-01609

PCP: Drago / Wakeman

Respondent was not present. Mr. Fryson represented the Department and presented the proposed settlement agreement to the Board.

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

30. Dan Sha, LMT

Case # 2015-05760 PCP: Drago / Wakeman (Davis / Walker)

Respondent was not present. Ms. Shideler represented the Department and presented the proposed settlement agreement to the Board.

Action Taken: After discussion, Ms. Nixon moved to reject the proposed settlement agreement and direct the Department to counteroffer revocation and costs in the amount of \$1050.30. Motion seconded by Ms. Phillips, which carried unanimously.

31. Carlton L. Sizer, LMT

Case # 2014-21931

PCP: Havard / Whitridge

Respondent was not present. Ms. Shideler represented the Department and presented the proposed settlement agreement to the Board.

Action Taken: After discussion, Ms. Phillips moved to reject the proposed settlement agreement and direct the Department to counteroffer the current terms in the proposed settlement agreement with the addition of a reprimand and costs in the amount of \$1623.57. Motion seconded by Ms. Wakeman, which carried unanimously.

D. Voluntary Relinquishments

32, 33, 34 were taken en masse.

32. R.F.G. Medical Clinic

Case # 2015-30925

PCP: n/a

33. Luxury Massage, LLC, d/b/a Capricorn Health

Case # 2017-12227

PCP: n/a

34. Brandi Hill, LMT

Case # 2017-21418 PCP: Waived (12/04/2017)

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

35. Carlos Amador, LMT

Case # 2017-09008

PCP: Drago / Brooks

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

36. Daniel J. Martin, LMT

Case # 2015-01140

PCP: Drago / Phillips

Action Taken: After discussion, Ms. Havard moved to accept the voluntary relinquishment. Motion seconded by Ms. Wakeman, which carried unanimously.

37. Pascale Theard, LMT

Case # 2015-26173

PCP: Havard / Whitridge

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

38. Adriana Sosa, LMT

Case # 2015-13306

PCP: Havard / Wakeman-

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

39 and 40 were taken en masse.

39. Jin Ya Beringer, LMT

Case # 2015-01275

PCP: Wakeman / Whitridge

40. Mubseon Luna, LMT

Case # 2014-21494

PCP: Wakeman / Whitridge

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

E. Determination of Waivers

41. Marc Anthony Detomaso, LMT Case # 2017-03817 PCP: Havard / Drago

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

Allegations of the Complaint:

- 456.072(1)(k), (v), (dd); 480.046(1)(p) through 480.0485, F.S. and or 64B7-26.010(3), F.A.C.

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to revoke the license, and to assess costs in the amount of \$2,327.26 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

(F. Motion to Vacate Final Order)

78. Gary MacNeil, LMT Case # 2016-16976 PCP: Brooks / Whitridge

Respondent was not present. Counsel for the Respondent, Mr. Terrell, Esq. was present. Ms. St. Laurent Represented the Department and presented the motion to the Board.

Action Taken: After discussion, Ms. Havard moved to vacate the final order. Motion seconded by Mr. Brooks, which carried unanimously.

(E. Determination of Waivers)

42. Hong Ma, LMT Case # 2015-14368 PCP: Havard / Phillips

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

Allegations of the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the investigative report as evidence for the purposes of imposing a penalty. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to impose a fine in the amount of \$1,000.00 and costs in the amount of \$10.63 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Wakeman, which carried 5/1 with Ms. Nixon in opposition.

43. Hong Ju Wang, LMT Case # 2015-18463 PCP: Havard / Phillips

Continued at the request of the Department.

44. Wayne D. Cummings, LMT Case # 2015-12460 PCP: Havard / Phillips

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty, to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to impose a fine in the amount of \$1,000.00 and costs in the amount of \$26.32 within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

45. Oceania Club, Inc. Case # 2016-05720 PCP: Havard / Phillips

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.043(12), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$40.60 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

46. Angel Nail & Spa of Marco Island, LLC Case # 2016-06760 PCP: Havard / Phillips

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.043(12), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty, and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$33.50 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Drago, which carried unanimously.

47. Pamela Fogel Komara, LMT Case # 2015-03998 PCP: Drago / Phillips

Respondent was present without Counsel. Ms. Edwards represented the Department and presented the case to the Board.

Allegations in the Complaint:

- 480.046(1)(o), F.S. (2009) through 456.072(1)(x), F.S. (2009)
- 480.046(1)(o), F.S. (2009) through 456.072(1)(x), F.S. (2009)
- 480.046(1)(o), F.S. (2009) through 456.072(1)(x), F.S. (2009)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to reprimand the license, to impose a fine in the amount of \$1,500.00 and assess costs in the amount of \$89.59 to be paid within 16 months of the entry of the final order, and to require 10-hour Florida Laws and Rules course to be completed within 16 months of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

48. Anselmo Fraga Marrero, LMT Case # 2015-04643 PCP: Drago / Phillips

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

Allegations in the Complaint:

- 480.046(1)(o), F.S. (2012) through 456.072(1)(m), F.S. (2012)
- 480.046(1)(o), F.S. (2006) through 456.072(1)(c), F.S. (2006)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law as set forth in the administrative complaint constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to revoke the license and assess costs in the amount of \$38.96 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

49. Guy J.M.P. Volel, LMT Case # 2015-15901 PCP: Drago / Phillips

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty, and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$1.34 to be paid within 90 days of the entry of a final order and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried 5/1 with Ms. Nixon in opposition.

50. The Massage Hut Case # 2015-28839 PCP: Drago / Phillips

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

Allegations in the Complaint:

- 480.046(1)(l), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Ms. Nixon moved to revoke the license and assess costs in the amount of \$103.84 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

51. Jorge A Duarte, LMT Case # 2015-16003 PCP: Drago / Phillips

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law

constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$26.86 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

52. Courtenay J. Madsen, LMT Case # 2016-07384 PCP: Drago / Phillips

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

Allegations in the Complaint:

- 480.041(1)(I), F.S. (2015)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty, and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to impose a fine in the amount of \$500.00 and assess costs in the amount of \$68.32 to be paid within 90 days of the entry of the final order. Motion was seconded Ms. Havard and carried 5/1 with Ms. Nixon opposition.

53. Robert P. Bailey, LMT Case # 2015-04540 PCP: Drago / Wakeman

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

Allegations in the Complaint:

- 456.072(1)(x), F.S. (2010)
- 456.072(1)(x), F.S. (2012)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law set forth in the administrative complaint and to determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to revoke the license, and to impose a fine in the amount of \$1,000.00 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$17.90 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

54. Lovola Renee Steele, LMT

Case # 2015-13880

PCP: Drago / Wakeman

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$52.64 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Havard and carried with Ms. Nixon in opposition.

55. Alejandro Gomez, LMT

Case # 2015-21370

PCP: Drago / Wakeman

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 456.072(1)(c), F.S. (2014)
- 480.046(1)(p), F.S. (2014) through 456.072(1)(x), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to revoke the license and assess costs in the amount of \$352.11 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

56. Roberto Labrada, LMT

Case # 2015-13631

PCP: Drago / Wakeman

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to impose a fine of \$1000.00 and assess costs in the amount of \$26.59 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried 5/1 with Ms. Nixon in opposition.

57. Cierra Laroda, LMT

Case # 2015-04642

PCP: Brooks / Wakeman

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

Allegations in the Complaint:

- 456.072(1)(m), F.S. (2012)
- 456.072(1)(x), F.S. (2013)
- 456.072(1)(x), F.S. (2013)
- 456.072(1)(x), F.S. (2013)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and to determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to reprimand the license, to impose a fine of \$2,000.00 to be paid within 1 year of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$395.29 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

58. Guillermo Alvarez Rodriguez, LMT

Case # 2015-12798

PCP: Brooks / Wakeman

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

Allegations in the Complaint:

- 480.041(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to impose a fine of \$1,000.00 to be paid within 90 days of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Drago and carried with Ms. Nixon in opposition.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$313.01 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

59. Shannon B. Rachel, LMT

Case # 2015-16735

PCP: Brooks / Wakeman

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing

a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$1.34 to be paid within 90 days of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. The motion failed with Ms. Havard and Ms. Nixon in opposition.

Additional Action Taken: After discussion, Ms. Havard moved to impose a fine in the amount of \$250.00 and assess costs in the amount of \$1.34 to be paid within 90 days of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Phillips and carried 5/1 with Ms. Drago in opposition.

60. Dayana Lopez, LMT

Case # 2016-00406

PCP: Drago / Brooks

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Nixon moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to impose a fine of \$1,000.00 and assess costs in the amount of \$32.55 to be paid within 90 days of the entry of the final order, a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Havard, which carried unanimously.

61. Yang Yang Sang, LMT

Case # 2015-14020

PCP: Drago / Brooks

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$46.30 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Phillips, which carried unanimously.

62. Lisa S. Cooper, LMT

Case # 2015-13915

PCP: Drago / Brooks

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$47.23 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Wakeman, which carried unanimously.

63. Lina Li, LMT

Case # 2015-14040

PCP: Drago / Brooks

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Wakeman moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$43.20 to be paid within 90 days of the entry of the final order, require a 10-hour Florida Laws and rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Phillips, which carried unanimously.

64. Xiaojing Cao, LMT

Case # 2016-21689

PCP: Havard / Brooks

Tabled at the request of the Department.

Action Taken: After discussion, Ms. Phillips moved to table this item. Motion seconded by Ms. Wakeman, which carried unanimously.

65. Health Care Massage, Inc.

Case # 2016-25501

PCP: Havard / Whitridge

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

Allegations:

- 480.046(1)(p), F.S. (2016) through 480.046(1)(f), F.S. (2016)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved revoke the license, and to assess costs in the amount of \$1613.02 to be paid within 90 days of the entry of the final order. Motion was seconded by Mr. Brooks, which carried unanimously.

66. Soukeyna Joan Douyon, LMT Case # 2015-05816 PCP: Havard / Whitridge

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

Allegations:

- 480.046(1)(p), F.S. (2013) through 456.072(1)(x), F.S. (2013)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to direct the Department to amend the administrative complaint to include an additional charge. Motion was seconded by Ms. Phillips, which carried unanimously.

67. Hector Soler, LMT Case # 2015-20907 PCP: Havard / Whitridge

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 456.072(1)(x), F.S. (2014)
- 456.072(1)(c), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to revoke the license, and to assess costs in the amount of \$747.18 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

68. Liying Dang, LMT Case # 2015-15578 PCP: Brooks / Whitridge

Continued at the request of the Department.

69. Svitlana Golka-Shindler, LMT Case # 2015-13108 PCP: Brooks / Whitridge

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing

a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$10.74 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

70. Tangela Wright, LMT Case # 2015-04018 PCP: Drago / Whitridge

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

Allegations:

- 456.072(1)(m), F.S. (2013)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to reprimand the license, impose a fine in the amount of \$1000.00 fine and costs in the amount of \$677.07 to be paid within 90 days of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

71. Ruben D. Saenz, LMT Case # 2017-10792 PCP: Havard / Drago

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

Allegations:

- 480.046(1)(p), F.S. (2017) through 480.0485, F.S. (2017)
- 480.046(1)(p), F.S. (2017) and/or 64B7-30.001(5), F.A.C.

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to revoke the license and assess costs in the amount of \$1910.05 to be paid within 90 days of the entry of the final order. Motion was seconded Ms. Phillips, which carried unanimously.

Items 72 and 73 were heard earlier in the meeting.

~~72. Florida Oasis Massage and Spa, Inc. Case # 2016-23410 PCP: Wakeman / Whitridge~~

~~73. Hong Sun, LMT Case # 2016-22657 PCP: Wakeman / Whitridge~~

74. Qiting Duan, LMT

Case # 2017-03925

PCP: Wakeman / Whitridge

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

Allegations:

- 480.046(1)(p), F.S. (2015-2017) through 480.0485, F.S. (2015-2017)
- 480.046(1)(p), F.S. (2015-2017) through 480.0485, F.S. (2015-2017)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and to determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to revoke the license, and to impose a fine in the amount of \$2,500.00 and assess costs in the amount of \$4632.73 to be paid within 90 days of the entry of the final order. Motion was seconded by Ms. Havard, which carried unanimously.

75. Marisa H. Lugar, LMT

Case # 2015-12779

PCP: Havard / Wakeman

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

Allegations:

- 480.046(1)(p), F.S. through 480.041(6), F.S.

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law set as forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to impose a fine of \$1,000 to be paid within 90 days of the entry of the final order, to require 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to assess costs in the amount of \$41.73 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

76. Jorge Ruiz Tartabull, LMT

Case # 2015-12489

PCP: Havard / Wakeman

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

Allegations:

- 480.046(1)(p), F.S. through 480.041(6), F.S.

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law as set forth in the administrative complaint and to determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously

Action Taken: After discussion, Ms. Phillips moved to impose a fine of \$1000.00 and assess costs in the amount of \$38.66 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Drago, which carried unanimously.

77. Viviana Isabel Pineda, LMT

Case # 2015-13532

PCP: Havard / Wakeman

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

Allegations:

- 480.046(1)(p), F.S. through 480.041(6), F.S.

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously

Additional Action Taken: After discussion, Ms. Phillips moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$24.12 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Drago, which carried unanimously.

F. Motion to Vacate Final Order

78. Gary MacNeil, LMT

Case # 2016-16976

PCP: Brooks / Whitridge

This item was heard earlier at the request of the respondent.

Respondent was not present; attorney John Terrell was present. Ms. St Laurent represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Havard moved vacate the final order and present the case to DOAH. Motion seconded by Ms. Phillips, which carried unanimously.

II. REPORTS

A. Prosecutor’s Report

Mr. Wilson provided a verbal account of the report included in the meeting materials. He also noted that the prosecution team for these cases were all present for this meeting, as well as many prosecuting attorneys for other Boards. The agenda preparation team for massage also had a representative present (Ms. Wanda Young).

Action Taken: After discussion, Ms. Havard moved to direct Prosecution Services to continue prosecution for year and older cases in inventory. Motion seconded by Mr. Brooks, which carried unanimously.

Ms. Partin also gave a verbal account of Unlicensed Activity cases and the efforts the Department is making in detecting and prosecuting unlicensed activity in Florida. She stated that approximately 70% of unlicensed activity cases are issued a fine and a cease and desist notice, and that unlicensed massage practice (therapists and establishments) accounts for approximately 57% of the total caseload for Unlicensed Activity Department-wide. There has been an increase in unlicensed activity in massage of approximately 25% in the current fiscal year; Ms. Partin attributed this increase in part to the efforts of the Department to educate the public.

B. Review and Approval of Minutes

January 2018 General Business Meeting Minutes

March 2018 Conference Call Meeting Minutes

Action Taken: After discussion, Ms. Havard moved to accept the January and March 2018 meeting minutes with the following corrections: change Wasylyna to Wakeman and update the first page to correctly list Board member roles. Motion seconded by Ms. Phillips, which carried unanimously.

C. Board Counsel’s Report

March 2018 Rules Report

April 2018 Rules Report

Ms. Gustafson provided a verbal account of the contents of the March 2018 and April 2018 rules report, and an update on the rule changes concerning fee increases. She also provided additional information concerning Recommended Orders pertaining to Margate transcripts. She provided photo documentation of the current state of transcripts from Margate (un-indexed and warehoused awaiting further action by the Department of Education), and specified issues with evidence which impair the ability to provide evidence during hearings at the Division of Administrative Hearings.

Action Taken: After discussion, Ms. Wakeman moved to decline to prosecute Recommended Orders due to evidentiary issues. Motion seconded by Ms. Havard, which carried unanimously.

D. Legislative Liaison Report

Nothing at this time.

E. Public Relations Liaison Report

Ms. Drago provided an account of her current outreach to schools in Florida, and made suggestions as to how the Board may continue to reach out to schools.

F. Vice Chair Report

Nothing at this time.

G. Rules Liaison Report

Nothing at this time.

H. Budget Liaison Report

Nothing at this time.

I. Executive Director’s Report

Licensure Process Brochure

Ms. Monroe presented the licensure process brochure included with the agenda materials. She also noted that outreach is a primary focus in the upcoming year.

J. School Liaison Report

Ms. Phillips gave an account of current school applications in process.

K. Continuing Education Liaison Report

Ratification of Approved Continuing Education Providers (12-11-2017 – 03-30-2018)

Action Taken: After discussion, Mr. Brooks moved to ratify the continuing education providers approved from December 11th, 2017 to March 30th, 2018. Motion seconded by Ms. Phillips, which carried unanimously.

Ratification of Approved Pro-Bono Requests (12-11-2017 – 03-30-2018)

Mr. Brooks noted that there were no received requests for approval of Pro-Bono services from December 11th, 2017 to March 30th, 2018.

L. Unlicensed Activity Report

Nothing at this time.

M. Healthiest Weight Liaison Report

Ms. Drago noted that Healthiest Weight materials were available to meeting attendees, and that the Department provides additional information online to those who are interested.

Friday, April 20th, 2018

III. ADMINISTRATIVE PROCEEDINGS

A. Request for Informal Hearing

79. Bentivegna, Amina **File # 92343**

Petitioner was not present.

Action Taken: After discussion, Ms. Nixon moved to uphold the denial. Motion seconded by Ms. Drago, which carried unanimously.

B. Applicants with History

80. Barrera, Myra **File # 95721**

Applicant was not present.

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

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

Motion seconded by Ms. Phillips, which carried unanimously.

81. Carrol, Kira Lee **File # 95411**

Applicant was not present.

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

82. Duroseau, Jean Ricardo **File # 95540**

Applicant was present without counsel.

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

83. Holland, Ryan **File # 95759**

Applicant was not present.

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

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

Motion seconded by Ms. Nixon, which carried 5/1 with Ms. Phillips in opposition.

84. LaFrance, Crystal Jean **File # 95739**

Applicant was present without counsel.

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 entry of the final order.
- Complete a 10-hour Florida Laws and Rules course in addition to required continuing education within 1 year of the entry of the final order.

Motion seconded by Mr. Brooks, which carried unanimously.

85. Lugo, Shakiasha

File # 95432

Applicant was not present.

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

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

Motion seconded by Ms. Nixon, which carried unanimously.

86. Martin, Jay J

File # 95720

Applicant was not present.

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

87. Mesimore, Matthew

File # 95416

Applicant was not present.

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

88. Mu, Isabella

File # 94773

Applicant was not present.

Action Taken: After discussion, Mr. Brooks moved to deny the license for the following reasons:

- Previous criminal history / crime related to the practice of massage therapy.
- Failure to disclose criminal history on initial application.

Motion seconded by Ms. Havard, which carried unanimously.

89. O'Neal, Amanda

File # 95584

Applicant was present without counsel.

Action Taken: After discussion, Ms. Drago moved to grant the license unencumbered. Motion seconded by Mr. Brooks, which carried 4 / 2 with Nixon and Havard in opposition.

90. Stivaletti, Holly

File # 95601

Applicant was not present.

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

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

Motion seconded by Ms. Nixon, which carried unanimously.

91. Strong, Jeffrey

File # 95897

Applicant was not present.

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

- Previous disciplinary history

Motion seconded by Ms. Nixon, which carried unanimously.

92. Wang, Qunduan

File # 95860

Applicant was not present.

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

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

Motion seconded by Ms. Wakeman, which carried unanimously.

C. Applicants with Foreign Education

93. Schmidt, Christopher

File # 95736

Applicant was not present.

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

94. Tashlytska, Mariia

File # 94718

Applicant was not present.

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

D. Board-approved Massage Schools

95. Orlando Nails and Barber School

File # 429

Applicant was present without Counsel.

Action Taken: After discussion, Ms. Phillips moved to deny the application for Board approval. Motion seconded by Ms. Havard, which carried unanimously.

(Addendum: Determination of Waiver)

A-43. Xiaojing Cao, LMT

Case # 2016-21689

PCP: Havard / Brooks

Applicant was present with Counsel, Ms. Hongwei Shang, Esq.

Action Taken: After discussion, Ms. Nixon moved to refer the case to the Division of Administrative Hearings to determine whether the respondent waived her right to a formal hearing. Motion seconded by Ms. Phillips, which carried unanimously.

E. Petitions for Variance or Waiver

96. Forehand-van der Linde, Kim

File # n/a

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

97. Jansen, Kathleen Suzanne MA32542

Petitioner withdrew request for variance or waiver.

98. Stevens, Jennifer Lynn

File # 95034

Action Taken: After discussion, Ms. Phillips moved to deny the petition. Motion seconded by Ms. Wakeman, which carried 4/1 with Ms. Havard in opposition.

F. Petitions for Declaratory Statement

99. Gournelos, Elena **MA79195**

Action Taken: After discussion, Ms. Phillips moved to deny the petition. Motion seconded by Ms. Havard, which carried 5/1 with Ms. Wakeman in opposition.

100. ~~Hoft, Barbara~~ **~~File # n/a~~**

Response provided by Counsel; see documentation

101. Soto, Lynda **MA50254**

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

G. Continuing Education Providers

102. Holistic Quarters of Lakeland **50-21948**

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

IV. RULES DISCUSSION

A. 64B7-25.001 – Examination Requirements

Standardized Application (Draft)

Action Taken: After discussion, Ms. Havard moved to open 64B7-25.001 for development. Motion seconded by Ms. Phillips, which carried unanimously.

B. 64B7-26.003 – Massage Establishment Operations

The Board requested that the draft language be modified to include the following and brought back for further discussion:

- Pest control: remove language which requires contract pest services
- (4) should include language to differentiate items which come in “direct client contact”

A short discussion on the term “drapes” and how it is currently situated in the rule was entertained; no further action concerning the rule definition at this time, but may be addressed in subsequent revisions.

C. 64B7-32.002 – Disciplinary Guidelines

After discussion, Board Counsel requested that this item be brought back during the next in-person meeting.

V. GENERAL BUSINESS DISCUSSION

A. OLD BUSINESS

B. NEW BUSINESS

VI. ADDENDUM – Disciplinary Proceedings (January 2018 Continued / Quorum)

A. Informal Hearings

~~A-01. Active Wellness~~ ~~Case # 2015-09667~~ ~~PCP: Drago / Phillips~~
Continued at the request of the Department.

~~A-02. Michelle L. Velez, LMT~~ ~~Case # 2015-05556~~ ~~PCP: Drago / Phillips~~
Continued at the request of the Department.

A-03. Yinzi Jin, LMT Case # 2014-16383 PCP: Drago / Phillips

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

Allegations in the Complaint:

- 480.046(1)(o), F.S. (2008) through 456.072(1)(m), F.S. (2008)
- 480.046(1)(o), F.S. (2008) through 456.072(1)(c), F.S. (2008)

Action Taken: After discussion, Mr. Brooks moved that the respondent was properly served and requested an informal hearing, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to adopt the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to revoke the license, and to assess costs in the amount of \$49.70 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved that the actual knowledge of the licensee pertaining to the violation and attempts by the licensee to correct or stop the violation mitigating factors in determining the penalty imposed. Motion seconded by Mr. Brooks, which carried unanimously.

A-04. Tiera Diana Baize, LMT Case # 2016-28919 PCP: Drago / Phillips
Continued at the request of the Department.

~~A-05. Maree Yoon, LMT~~ ~~Case # 2015-04638~~ ~~PCP: Drago / Phillips~~
Continued at the request of the Department.

A-06. Victoria C. Moore, LMT Case # 2015-15722 PCP: Havard / Drago

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

Allegations in the Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Phillips moved that the respondent was properly served and requested an informal hearing, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to adopt the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a reprimand, a fine in the amount of \$250.00 and to assess costs in the amount of \$15.04 to be paid within 90 days of the entry of a final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record. Motion seconded by Ms. Phillips, which carried unanimously.

~~A-07. Jeremy D. Miracle, LMT Case # 2015-12959 PCP: Havard / Drago~~
Continued at the request of the Department.

~~A-08. Hannah Adams, LMT Case # 2014-22238 PCP: Drago / Phillips~~
Continued at the request of the Department.

~~A-09. Berhane T. Oliver, LMT Case # 2015-05770 PCP: Havard / Drago~~

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

Allegations in the Complaint:

- 456.072(1)(x), F.S. (2015)

Action Taken: After discussion, Ms. Wakeman moved that the respondent was properly served and requested an informal hearing, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to adopt the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to reprimand the license, to impose a fine in the amount of \$500.00 and assess costs in the amount of \$480.47 to be paid within 1 year of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried 3/1 with Ms. Nixon in opposition.

~~A-10. John J. Esposito, LMT Case # 2015-12678 PCP: Havard / Phillips~~
Continued at the request of the Department.

~~A-11. Brent Stuckey, LMT Case # 2017-04331 PCP: Havard / Brooks~~
Continued at the request of the Department.

~~A-12. Tammyann Marie Allen, LMT Case # 2015-16462 PCP: Brooks / Wakeman~~

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved that the respondent was properly served and requested an informal hearing, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to adopt the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to reprimand the license, impose a fine in the amount of \$250.00 and assess costs in the amount of \$34.94 to be paid within 90 days of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

A-13. Yanfu Li, LMT **Case # 2014-21366** **PCP: Brooks / Wakeman**

Continued at the request of the Department.

A-14. Na Lin, LMT **Case # 2015-20227** **PCP: Brooks / Wakeman**

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

Allegations:

- 480.046(1)(p), F.S. (2016) through 456.072(1)(c), F.S. (2016)

Action Taken: After discussion, Ms. Drago moved that the respondent was properly served and requested an informal hearing, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to adopt the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to revoke the license, and to assess costs in the amount of \$90.16 to be paid within 90 days of the entry of the final order, with mitigating factors on the record. Motion seconded by Ms. Havard, which carried unanimously.

B. Voluntary Relinquishments

Items A-15 and A-16 were taken en masse

A-15. Hong Wang Miller, LMT **Case # 2015-03165** **PCP: Drago / Phillips**

A-16. Erick A. Perez Ferrero **Case # 2015-22656** **PCP: Drago / Phillips**

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

Items A-17, A-18, and A-19 were taken en masse

A-17. Jason Sapp, LMT **Case # 2016-13902** **PCP: Drago / Wakeman**

A-18. Jason Sapp, LMT **Case # 2016-13443** **PCP: Drago / Wakeman**

A-19. David R. Nazario, LMT **Case # 2017-09262** **PCP: Drago / Wakeman**

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

A-20. Constantine Ritsi, LMT **Case # 2015-20708** **PCP: Havard / Brooks**

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

A-21. Wilfredo Diaz Fernandez, LMT **Case # 2015-15272** **PCP: Drago / Wakeman**

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

A-22. James Russell, LMT **Case # 2017-05948** **PCP: n/a**

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

A-23. Yumei S. Lee, LMT **Case # 2015-14212** **PCP: Brooks / Wakeman**

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

C. Settlement Agreements

Items A-25, A-26 and A-27 were taken en masse.

A-25. Tiffany K. Dixon, LMT Case # 2015-28249 PCP: Drago / Phillips

A-26. Haizhen Han, LMT Case # 2015-01256 PCP: Drago / Phillips

A-27. Tammy L. Kelz, LMT Case # 2015-02511 PCP: Drago / Phillips

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

A-28. Jae Na Lee, LMT Case # 2014-21002 PCP: Drago / Wakeman (Davis / Walker)

Action Taken: After discussion, Ms. Havard moved to accept the proposed settlement agreement. Motion seconded by Mr. Brooks, which carried unanimously.

A-30. Robert S. Sanchez-Pino, LMT Case # 2015-12564 PCP: Drago / Wakeman

Action Taken: After discussion, Ms. Havard moved to accept the proposed settlement agreement. Motion seconded by Mr. Brooks, which carried unanimously.

A-24. Hair Designers of Volusia County, Inc. Case # 2015-01602 PCP: Wakeman / Brooks

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

Allegations:

- 480.046(1)(f), F.S. (2015)

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

Action Taken: After discussion, Ms. Phillips moved to counteroffer reprimand, a fine in the amount of \$1000.00 and costs not to exceed \$1000.00 to be paid within one year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

A-29. Maria Avalos, LMT Case # 2014-20565 PCP: Drago / Wakeman

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

Allegations:

- 480.046(1)(o) through 456.072(1)(m), F.S. (2013)

Action Taken: After discussion, Ms. Phillips moved to accept the proposed settlement agreement. Motion seconded by Mr. Brooks, which carried unanimously.

D. Determination of Waivers

A-31. Chith Xayaphet, LMT Case # 2015-08469 PCP: Brooks / Wakeman

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

Allegations:

- 480.04(1)(p) and 456.072(1)(hh), F.S. (2014)

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to suspend the license until the licensee complies with PRN, and to impose a fine in the amount of \$250.00 and assess costs in the amount of \$568.12 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

A-32. Kevin Perez, LMT

Case # 2015-16564

PCP: Brooks / Wakeman

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$1000 and assess costs in the amount of \$30.89 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Phillips, which carried unanimously.

A-33. Nelsy Lugo Corrales, LMT

Case # 2015-12573

PCP: Brooks / Wakeman

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

Allegation:

- 480.046(1)(p) and 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$9.40 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Drago, which carried unanimously.

A-32 (RE-OPEN)

Action Taken: After discussion, Ms. Havard moved to amend the record to include aggravating factors (deterrent effect, lack of effort for rehabilitation by the licensee, lack of attempt by the licensee to correct or stop the violation, or refusal by the licensee to correct or stop the violation). Motion seconded by Ms. Nixon, which carried unanimously.

A-34. Keshundra D. Dixon, LMT

Case # 2015-15560

PCP: Brooks / Wakeman

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

Allegations of the Administrative Complaint:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$250.00 and assess costs in the amount of \$285.23 to be paid within 90 days of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record. Motion seconded by Ms. Havard, which carried unanimously.

A-35. Patricia A. Dion, LMT

Case # 2015-16440

PCP: Brooks / Whitridge

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$14.78 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Wakeman, which carried unanimously.

A-36. Dai-Ying Liu, LMT

Case # 2015-05791

PCP: Brooks / Whitridge

Continued at the request of the Department

A-37. Gideon Michael Elliott, LMT

Case # 2015-22317

PCP: Brooks / Whitridge

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

Allegations:

- 480.046(1)(p) and 456.072(1)(x), F.S. (2013)
- 480.046(1)(p) and 456.072(1)(x), F.S. (2014)
- 480.046(1)(p) and 456.072(1)(x), F.S. (2015)
- 480.046(1)(p) and 456.072(1)(x), F.S. (2015)

Action Taken: After discussion, Ms. Wakeman moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Phillips moved to reprimand the license, to impose a fine in the amount of \$2000 and assess costs in the amount of \$28.22 to be paid within 1 year of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record. Motion seconded by Ms. Havard, which carried 5/1 with Ms. Nixon in opposition.

A-38. Raziel Periu, LMT Case # 2014-14788 PCP: Brooks / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 456.072(1)(x), F.S. (2010)
- 480.046(1)(p), F.S. (2014) through 456.072(1)(II), F.S. (2014)

Action Taken: After discussion, Ms. Wakeman moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Nixon, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to revoke the license, and to assess costs in the amount of \$329.36 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

A-39. Yeni Isbell, LMT Case # 2015-15040 PCP: Brooks / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$250.00 and assess costs in the amount of \$265.08 to be paid within 90 days of the entry of the final order with mitigating factors on the record, and to require a 10-hour Florida Laws and Rules course within 1 year of the entry of the final order with aggravating factors on the record. Motion seconded by Ms. Havard, which carried unanimously.

A-40. Jorge Blanco, LMT Case # 2015-12894 PCP: Brooks / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Wakeman moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing

a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$9.40 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Wakeman, which carried unanimously.

A-41. Kevin Carlos Obregon, LMT Case # 2015-17733 PCP: Brooks / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2015) through 456.072(1)(c), F.S. (2015)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to revoke the license, and to assess costs in the amount of \$834.97 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

A-42. Kali C. Baker, LMT Case # 2016-21564 PCP: Havard / Brooks

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

Allegations:

- 480.046(1)(p), F.S. (2015) through 456.072(1)(x), F.S. (2015)
- 480.016(1)(p), F.S. (2015) through 456.072(1)(c), F.S. (2015)

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to revoke the license and assess costs in the amount of \$40.68 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried 3/1 with Ms. Phillips in opposition.

A-43. Xiaojing Cao, LMT Case # 2016-21689 PCP: Havard / Brooks

This item was taken up earlier, at the request of Respondent's Counsel.

A-44. Anna Marie Kirkpatrick

Case # 2016-00372

PCP: Havard / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$13.73 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Drago, which carried unanimously.

A-45. Maryann Roeseler, LMT

Case # 2016-00355

PCP: Havard / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wasylyna moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$15.20 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

A-46. Hector Castano, Jr. LMT

Case # 2015-15624

PCP: Havard / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6) F.S. (2014)

Action Taken: After discussion, Ms. Phillips moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$359.90 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to amend the record to include the deterrent effect as an aggravating factor. Motion seconded by Ms. Nixon, which carried unanimously.

A-41. (RE-OPEN)

Action Taken: After discussion, Ms. Drago moved that the previous motions be upheld, and to amend the record to include aggravating factors. Motion seconded by Ms. Nixon, which carried unanimously.

A-47. Shannon V. Markin, LMT Case # 2015-14896 PCP: Havard / Phillips

The Department requested that this item be tabled.

Action Taken: After discussion, Ms. Drago moved that the item be tabled. Motion seconded by Mr. Brooks, which carried unanimously.

A-48. Noelio H. Herrera, LMT Case # 2015-13266 PCP: Havard / Phillips

Respondent was present. Mr. Fryson represented the Department and presented the case to the Board.

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Drago moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$17.12 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

A-49. You and I Beauty Lab Corp. Case # 2016-07067 PCP: Havard / Drago

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.043(12), F.S. (2014)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$13.73 to be paid within 90 days of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

A-50. William Calderon, LMT

Case # 2015-15335

PCP: Havard / Drago

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$451.49 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

A-51. Maria Rodriguez, LMT

Case # 2015-13784

PCP: Havard / Drago

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$184.80 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

A-52. Ting Massage, Inc.

Case # 2015-23104

PCP: Havard / Drago

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

Allegations:

- 480.046(1)(p), F.S. (2015) through 64B7-26.010, F.A.C.

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to revoke the license, and to impose a fine in the amount of \$2,500.00 and assess costs in the amount of \$604.88. Motion seconded by Ms. Phillips which carried 5/1 with Ms. Nixon in opposition.

Action Taken: After discussion, Ms. Phillips moved that the fine and fees be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried 5/1 with Ms. Nixon in opposition.

A-53. Jinzhi Liu Pearce, LMT Case # 2015-15086 PCP: Havard / Drago

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Mr. Brooks moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$57.25 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Phillips, which carried unanimously.

A-54. Joanna M. Baugh, LMT Case # 2015-16370 PCP: Drago / Wakeman

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Havard moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$325.29 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

A-55. Lindsey L. Flanagan, LMT Case # 2015-12379 PCP: Havard / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing

a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wasylyna, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$14.77 to be paid within 90 days of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Ms. Drago, which carried unanimously.

A-56. Raydel Bibiloni Acuna, LMT Case # 2015-13276 PCP: Havard / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.041(6), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law as set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$14.12 to be paid within 1 year of the entry of the final order, to require a 10-hour Florida Laws and Rules course to be completed within 1 year of the entry of the final order with aggravating factors on the record, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

A-57. Center of Attention Day Spa Case # 2016-05672 PCP: Havard / Phillips

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

Allegations:

- 480.046(1)(p), F.S. (2014) through 480.043(12), F.S. (2014)

Action Taken: After discussion, Ms. Drago moved to find the respondent was properly served and waived their right to appeal, to accept the investigative report as evidence for the purposes of imposing a penalty and to adopt the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to accept the conclusions of law set forth in the administrative complaint and determine that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to impose a fine in the amount of \$1000.00 and assess costs in the amount of \$25.57 to be paid within 1 year of the entry of the final order, and to suspend the license until the licensee complies with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

E. Recommended Order

A-59. Hongyan Zhao

DOAH # 17-5563

Respondent was not present. Ed Tellechea, Esq. presented the case to the Board.

Action Taken: After discussion, Ms. Havard moved to accept the findings of fact and conclusions of law as set forth in the Recommended Order, to accept the action recommended in the Order, and to dismiss the previously entered Notice to Rescind. Motion seconded by Ms. Nixon, which carried unanimously.

ADJOURN 5:35 pm