



General Business Meeting

July 26 – 27, 2018

9:00 a.m., ET

Sheraton Bay Point Resort
4114 Jan Cooley Dr.
Panama City Beach, FL 32408
(850) 236-6044

MEETING MINUTES

CALL TO ORDER

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

MEMBERS PRESENT

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

BOARD COUNSEL

Lawrence Harris, Esq., *Assistant Attorney General*

STAFF PRESENT

Kama Monroe, Executive Director
Gerry Nielsen, Regulatory Supervisor

DEPARTMENT PROSECUTING ATTORNEYS

John Wilson, Esq. Assistant General Counsel
Mary Iglehart, Esq. Assistant General Counsel

COURT REPORTER

Esquire Disposition Solutions
Nathan Cindric
888-486-4044

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/>

I. DISCIPLINARY PROCEEDINGS

A. Recommended Orders

01. Shufang Li, L.M.T. Case # 2016-28204 / DOAH # 18-0898PL PCP: HAVARD/DRAGO

Note: This item was reconsidered later in the meeting.

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

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. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to adopt the penalty recommended by the Administrative Law Judge. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$8304.18. Motion seconded by Ms. Wakeman, which carried unanimously.

B. Informal Hearings

02. Miracle L. Taylor, L.M.T. Case # 2015-23521 PCP: HAVARD/DRAGO

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

Action Taken: After discussion, Ms. Phillips moved to accept the investigative report into evidence, find that the respondent was properly served and requested an informal hearing, and 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. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and find 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, Ms. Phillips moved to reprimand the license, 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 Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$122.25 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

03. Kimberly Susan Duncan, L.M.T.

Case # 2017-11374

PCP: NIXON/SPASSOFF

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

Action Taken: After discussion, Ms. Phillips moved to accept the investigative report into evidence, find that the respondent was properly served and requested an informal hearing, and to accept 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 find 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 reprimand the license, impose a fine in the amount of \$750.00 to be paid within 90 days of the entry of the final order, to suspend the license until the licensee has submitted to PRN evaluation and has complied with all PRN recommendations, with aggravating factors on the record (danger to the public). Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to assess costs in the amount of \$28.76 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

04. Jin Hua Xu, L.M.T.

Case # 2016-18857

PCP: DRAGO/WHITRIDGE

Tabled at the request of the Department.

05. Hongmin Wang, L.M.T.

Case # 2015-14168

PCP: DRAGO/WHITRIDGE

Respondent was present without Counsel. Mr. Christopher Skrzypczak was present with Respondent. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence, find that the respondent was properly served and requested an informal hearing, and 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 find 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 reprimand the license, to impose a fine in the amount of \$500.00 to be paid within 6 months of the entry of the final order, and to suspend the license until the licensee is compliant with background screening requirements. Motion seconded by Ms. Wakeman, which carried 5/1 with Ms. Nixon in opposition.

Additional Action Taken: After discussion, Ms. Nixon moved to assess costs in the amount of \$20.40 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served, and 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 find 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, Ms. Phillips moved to reprimand the license, to impose a fine in the amount of \$750.00 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 Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$61.80 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

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

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence, find that the respondent was properly served, and 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. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to reprimand the license, to impose a fine in the amount of \$1,500.00 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 \$690.23 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

Continued at the request of Respondent's representation.

09. Active Wellness**Case # 2015-09667****PCP: DRAGO/PHILLIPS**

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

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence, find that the respondent was properly served, and 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 and find 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, Ms. Nixon moved to impose a fine in the amount of \$500.00 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. Phillips moved to assess costs in the amount of \$4.50 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

10. Maree Yoon, L.M.T.**Case # 2015-04638****PCP: DRAGO/PHILLIPS**

Note: This item was reconsidered later in the meeting.

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served, and 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, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and find 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 revoke the license and impose a fine in the amount of \$1,250.00 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$25.53 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

11. John J. Esposito, L.M.T.**Case # 2015-12678****PCP: HAVARD/PHILLIPS**

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

Action Taken: After discussion, Ms. Nixon moved to accept the investigative report into evidence, find that the respondent was properly served, and 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. Drago moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to reprimand the license, and to impose a fine in the amount of \$250.00 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$17.47 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

12. Wen Li He, L.M.T.

Case # 2015-03176

PCP: HAVARD/DRAGO

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served, and 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. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and find 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, Ms. Nixon moved to revoke the license. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to assess costs in the amount of \$664.29 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

13. Lihong Xia, L.M.T.

Case # 2016-21696

PCP: HAVARD/DRAGO

Continued at the request of Respondent's representation.

14. Lian F. Piao, L.M.T.

Case # 2015-00726

PCP: BROOKS/PHILLIPS

Continued at the request of Respondent's representation.

15. Sebastian Fomenko, L.M.T.

Case # 2018-01977

PCP: NIXON/SPASSOFF

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

Action Taken: After discussion, Ms. Phillips moved to accept the investigative report into evidence, find that the respondent was properly served, and 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 find 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. Havard moved to revoke the license, impose a fine in the amount of \$2,500.00 to be paid within 1 year of the entry of the final order, and to assess costs in the amount of \$1,967.45 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried 5/1 with Ms. Phillips in opposition.

(Recommended Orders)

01. Shufang Li, L.M.T. Case # 2016-28204 / DOAH # 18-0898PL PCP: HAVARD/DRAGO

Action Taken: After discussion, Ms. Wakeman moved to reconsider the previous motion. Motion seconded by Ms. Phillips, which carried unanimously.

Respondent was present with counsel, Gennaro Cariglio Jr. Ms. Iglehart represented the Department and presented the case to the Board.

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

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, Ms. Wakeman 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. Wakeman moved to adopt the penalty recommended by the Administrative Law Judge. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$8,304.18 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

C. Determination of Waivers

16. Shaojun Liu, L.M.T. Case # 2014-02048 PCP: HAVARD/HARRISON

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

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Drago moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Wakeman moved to 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. Drago, which carried 5/1 with Ms. Phillips in opposition.

Additional Action Taken: After discussion, Ms. Drago moved to assess costs in the amount of \$1,232.00 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

17. Gene M. Walls, L.M.T. Case # 2015-12421 PCP: NIXON/SPASSOFF

Tabled pending additional documentation received by Board staff.

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Havard moved to accept the conclusions of law as set forth in the administrative complaint and find 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, Ms. Drago moved to revoke the license and impose a fine in the amount of \$500.00 to be paid within 90 days of the entry of the final order with aggravating factors on the record (prior discipline/actual knowledge). Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to assess costs in the amount of \$29.28 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard which carried unanimously.

(Informal Hearings)

Action Taken: After discussion, Ms. Havard moved to reconsider the previous motion. Motion seconded by Ms. Wakeman, which carried unanimously.

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served, and 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 and find 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, Ms. Havard moved to revoke the license and impose a fine in the amount of \$1,250.00 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$25.53 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

(Determination of Waivers – Continued)

17. Gene M. Walls, L.M.T.

Case # 2015-12421

PCP: NIXON/SPASSOFF

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

Additional Action Taken: After discussion, Ms. Havard moved to impose a \$1,000.00 fine 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 Mr. Brooks in opposition.

Additional Action Taken: After discussion, Ms. Phillips moved to assess costs in the amount of \$29.28 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

19. Tracy Elaine Stewart, L.M.T.

Case # 2017-20741

PCP: NIXON/HAYNES

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Havard moved to impose a fine in the amount of \$500.00 to be paid within 90 days of the entry of the final order and to suspend the license until the licensee is compliant with previous disciplinary orders (case 2015-00114). Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of 64.09 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

20. Gianni Valdes, L.M.T.

Case # 2017-17656

PCP: WAKEMAN/HAYNES

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

Action Taken: After discussion, Ms. Phillips moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and find 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, Ms. Phillips moved to revoke the license with aggravating factors on the record (conviction under 817, F.S. of a precluded felony pursuant to 456.0635, F.S.) and to impose a fine in the amount of \$250.00 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$3.01 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

21. Raul A. Sosa, L.M.T.

Case # 2015-12287

PCP: HAVARD/WAKEMAN

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

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and find 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, 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 is compliant with background screening requirements. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to assess costs in the amount of \$520.12 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

22. Michael A. Parcaiel, L.M.T.

Case # 2015-13300

PCP: HAVARD/WAKEMAN

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

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Drago moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Drago 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 is compliant with background screening requirements. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to assess costs in the amount of \$541.14 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Nixon, which carried unanimously.

23. Alexis Remedios, L.M.T.

Case # 2015-13443

PCP: HAVARD/WAKEMAN

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

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Drago moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Drago 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 is compliant with background screening requirements. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to assess costs in the amount of \$947.46 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

24. Bianniris Tejada, L.M.T.

Case # 2014-20860

PCP: DRAGO/WAKEMAN

Additional materials (see addendum) – Motion to Request Administrative Hearing/Motion to Set Aside Waiver/Motion to Dismiss

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

Action Taken: After discussion, Ms. Havard moved to deny the Respondent's motion to request an administrative hearing, set aside waiver, and dismiss. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 and find 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. Drago 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 is compliant with background screening requirements. Motion seconded by Ms. Phillips, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$1,308.01 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

(Settlement Agreements)

49. Wenpang Zhang, L.M.T.

Case # 2015-14419

PCP: HAVARD/DRAGO

Respondent was present without Counsel.

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

(Determination of Waivers – Continued)

25. Nina L. Fox, L.M.T.

Case # 2015-16479

PCP: DRAGO/WAKEMAN

Note: This item was reconsidered later in the meeting.

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

Action Taken: After discussion, Ms. Phillips moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Phillips moved to accept the conclusions of law as set forth in the administrative complaint and find 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 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 is compliant with background screening requirements. Motion seconded by Ms. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$757.67 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

26. Christopher Boin, L.M.T.

Case # 2015-26999

PCP: DRAGO/WAKEMAN

NOTE: This item was reconsidered later in the meeting.

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Havard moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to reprimand the license, 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. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$837.47 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

27. Eliza L. Brown, L.M.T.

Case # 2015-16296

PCP: DRAGO/WAKEMAN

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 and find 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 reprimand the license, 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 is compliant with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$757.67 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

25. Nina L. Fox, L.M.T.

Case # 2015-16479

PCP: DRAGO/WAKEMAN

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

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

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$757.67 within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

28. Emmanuel Civdanes, L.M.T.

Case # 2015-14406

PCP: HAVARD/DRAGO

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

Action Taken: After discussion, Ms. Nixon moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 find 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 reprimand the license, 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 is compliant with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to assess costs in the amount of \$1.34 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

29. Yosvani Flores Puerto, L.M.T.

Case # 2015-14199

PCP: HAVARD/DRAGO

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

ALL: 480.041(6)

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and find 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 reprimand the license, 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 is compliant with background screening requirements. Motion seconded by Ms. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$177.08 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

30. Kimberly A. Hoskens, L.M.T.

Case # 2015-13024

PCP: HAVARD/DRAGO

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

ALL: 480.046(1)(p) through 480.041(6)

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 and find 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 reprimand the license, 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 is compliant with background screening requirements. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$856.24 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

Note: This item was reconsidered later in the meeting.

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

ALL: 456.072(1)(x)

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and find 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 revoke the license with aggravating factors on the record (456.0635, F.S.; precluded from licensure). Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$24.18 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

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

ALL: 480.046(1)(p) through 480.041(6)

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Drago moved to accept the conclusions of law as set forth in the administrative complaint and find 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, Ms. Drago moved to reprimand the license, 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 is compliant with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$505.76 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

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

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 and find 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. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Phillips moved to reprimand the license and impose a fine in the amount of \$250.00 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$633.26 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

RECESS (3:15)
RECONVENE (3:35)

Action Taken: After discussion, Mr. Brooks moved to reconsider the previous motion for penalty, to impose a \$250.00 fine 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, to suspend the license until the licensee complies with background screening requirements, and to assess costs in the amount of \$24.18 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

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

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Havard moved to accept the conclusions of law as set forth in the administrative complaint and find 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 reprimand the license and 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, Mr. Brooks moved to assess costs in the amount of \$13.52 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

35. Maggie Joan Hoage, L.M.T.

Case # 2015-14638

PCP: DRAGO/WHITRIDGE

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

Action Taken: After discussion, Ms. Phillips moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 find 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 reprimand the license and 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, Mr. Brooks moved to assess costs in the amount of \$15.14 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

36. Rita D. Grant, L.M.T.

Case # 2015-00743

PCP: BROOKS/WHITRIDGE

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

Action Taken: After discussion, Ms. Phillips moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 and find 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. Nixon moved to reprimand the license and impose a fine in the amount of \$1,500.00 to be paid within 90 days of the entry of the final order with aggravating factors on the record (deterrent effect), 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 \$20.16 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Phillips, which carried unanimously.

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

Action Taken: After discussion, Ms. Phillips moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 find 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. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to reprimand the license and impose a fine in the amount of \$500.00 to be paid within 90 days of the entry of the final order, to suspend the license until the licensee undergoes PRN evaluation and complies with all requirements of PRN, 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. Nixon moved to assess costs in the amount of \$169.35 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

38. Lisa D. Ingram

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

ALL: 480.046(1)(p) through 480.041(6)

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 and find 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. Nixon moved to reprimand the license, to impose a fine in the amount of \$1,000.00 to be paid within 90 days of the entry of the final order, to suspend the license until the licensee is compliant with background screening requirements. Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to assess costs in the amount of \$836.23 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

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

ALL: 456.072(1)(m)

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Havard moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Drago, which carried unanimously.

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

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$72.54 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Nixon, which carried unanimously.

40. Mario R. Osoteo, L.M.T.

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

ALL: 456.072(1)(x)

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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. Havard moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Nixon, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to reprimand the license, to impose a fine in the amount of \$500.00 to be paid within 90 days of the entry of the final order with aggravating factors on the record (deterrent effect), 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. Nixon moved to assess costs in the amount of \$495.57 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. Nixon moved to amend the motion for penalty to include suspension of the license until the licensee undergoes PRN evaluation. Motion seconded by Ms. Havard, which carried unanimously.

41. Jing Zhang, L.M.T.

Case # 2014-16366

PCP: PHILLIPS/WALKER

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

ALL:

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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 and find 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 revoke the license and to impose a fine in the amount of \$1,250.00 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$470.17 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

42. Pedro A. Loforte, L.M.T.

Case # 2015-13441

PCP: HAVARD/PHILLIPS

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

ALL: 480.041(6)

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and find 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 reprimand the license, 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 is compliant with background screening requirements. Motion seconded by Ms. Drago, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$299.51 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

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

ALL:

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence, find that the respondent was properly served and waived their right to a formal hearing, and 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, Mr. Brooks moved to accept the conclusions of law as set forth in the administrative complaint and find 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. Drago, which carried unanimously.

Additional Action Taken: After discussion, Ms. Drago moved to reprimand the license, 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 is compliant with background screening requirements. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Ms. Nixon moved to assess costs in the amount of \$481.23 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

D. Settlement Agreements

Tabs 54 and 55 were taken en masse.

54. Jan C. Del Valle, L.M.T. **Case # 2015-13461** **PCP: BROOKS/WHITRIDGE**
55. Haley Jordan Stockstill, L.M.T. **Case # 2015-13898** **PCP: BROOKS/WHITRIDGE**
- Action Taken:** After discussion, Ms. Nixon moved to accept the proposed settlement agreements. Motion seconded by Ms. Havard, which carried unanimously.
45. Kimberly Kristin Cain, L.M.T. **Case # 2015-02874** **PCP: WAKEMAN/BURKE-WAMMACK**
- Action Taken:** After discussion, Ms. Havard moved to accept the proposed settlement agreement. Motion seconded by Ms. Drago, which carried unanimously.
50. Lingmei Wu, L.M.T. **Case # 2015-14394** **PCP: HAVARD/DRAGO**
- Action Taken:** After discussion, Mr. Brooks moved to accept the proposed settlement agreement. Motion seconded by Ms. Nixon, which carried unanimously.
44. Happy Spa, Inc. **Case # 2017-20111** **PCP: NIXON/HAYNES**
- Action Taken:** After discussion, Ms. Wakeman moved to reject the proposed settlement agreement and counteroffer revocation, and to allow the respondent 10 business days to accept or reject the settlement agreement. Motion seconded by Ms. Phillips, which carried unanimously.
46. Rody Marc, L.M.T. **Case # 2015-26661** **PCP: WAKEMAN/WHITRIDGE**
- Action Taken:** After discussion, Ms. Phillips moved to reject the proposed settlement agreement and counteroffer the current stipulations of the proposed settlement agreement with the addition of 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.
47. Leslie Ann Lemmon, L.M.T. **Case # 2016-18310** **PCP: DRAGO/WAKEMAN**
- Action Taken:** After discussion, Ms. Phillips moved to reject the proposed settlement agreement and counteroffer revocation. Motion seconded by Ms. Havard, which carried unanimously.
48. Alexandra S. Hoxworth, L.M.T. **Case # 2016-13439** **PCP: DRAGO/HAVARD**
- Action Taken:** After discussion, Ms. Phillips moved to reject the proposed settlement agreement and counteroffer the current stipulations of the proposed settlement agreement with the addition of a \$500.00 fine and 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. Nixon, which carried unanimously.
- ~~49. Wenpang Zhang, L.M.T. **Case # 2015-14419** **PCP: HAVARD/DRAGO**~~
- EARLIER
51. Joseph F. Bogar, L.M.T. **Case # 2014-21489** **PCP: HAVARD/BROOKS**
- Action Taken:** After discussion, Ms. Phillips moved to reject the proposed settlement agreement and counteroffer the current stipulations of the proposed settlement agreement with the addition of a reprimand. Motion seconded by Ms. Phillips, which carried unanimously.
52. Paul Barek, L.M.T. **Case # 2016-10832** **PCP: DRAGO/WHITRIDGE**
- Action Taken:** After discussion, Ms. Phillipw moved to reject the proposed settlement agreement and counteroffer to reprimand the license, to impose fine in the amount of \$1,000.00 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, and to suspend the license until the licensee undergoes PRN evaluation. Motion seconded by Ms. Nixon, which carried unanimously.

53. Rosser M. Guerrero, L.M.T. Case # 2015-01089 PCP: PHILLIPS/BROOKS
Action Taken: After discussion, Ms. Wakeman moved to accept the proposed settlement agreement. Motion seconded by Ms. Havard, which carried unanimously.

56. James F. Dukes, L.M.T. Case # 2015-04982 PCP: PHILLIPS/BROOKS
Action Taken: After discussion, Ms. Havard moved to accept the proposed settlement agreement. Motion seconded by Ms. Nixon, which carried unanimously.

E. Voluntary Relinquishments

Tabs 57, 58, 59, 60 and 61 were taken en masse.

57. Qifei Health Center, Inc. Case # 2017-14269 PCP: WAIVED

58. Liufang Wang, L.M.T. Case # 2017-14205 PCP: WAIVED

59. Mi C. Jones, L.M.T. Case # 2017-14300 PCP: WAIVED

60. Eunbee, Inc. Case # 2017-14303 PCP: WAIVED

61. Brittany Lynn Waryck, L.M.T. Case # 2018-02320 PCP: WAIVED

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

62. Yun O. Shin, L.M.T. Case # 2014-21973 PCP: WAKEMAN/BURKE-WAMMACK

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

Tabs 63 and 64 were taken together.

63. Jin Hua Xu, L.M.T. Case # 2016-19003 PCP: NIXON/HAYNES

64. Ying Fu, L.M.T. Case # 2016-25344 PCP: NIXON/SPASSOFF

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

Tabs 69 and 70 were taken together.

69. Jill R. Baillargeon, L.M.T. Case # 2016-30033 PCP: DRAGO/WHITRIDGE

70. Lucas Dylan Bales, L.M.T. Case # 2016-09608 PCP: DRAGO/WHITRIDGE

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

Tabs 71 and 72 were taken together.

71. Elicia Cassidy, L.M.T. Case # 2015-15568 PCP: BROOKS/WHITRIDGE

72. William J. Whibbs, L.M.T. Case # 2015-16545 PCP: BROOKS/WHITRIDGE

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

65. Shannon Victoria Markin, L.M.T. Case # 2015-14896 PCP: HAVARD/PHILLIPS

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

66. Jie Zhang, L.M.T. Case # 2016-20886 PCP: HAVARD/WHITRIDGE

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

Tabs 67 and 68 were taken together.

67. Katrice Michelle Ewanich, L.M.T.

Case # 2015-14547

PCP: HAVARD/DRAGO

68. Jeremy D. Miracle, L.M.T.

Case # 2015-12959

PCP: HAVARD/DRAGO

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

Tab 4 was pulled at the request of the Department; respondent in tab 63 is the same as respondent in tab 4.

F. Motion to Vacate Final Order

73. Na Lin, L.M.T.

Case # 2015-20227

PCP: BROOKS/WAKEMAN

Action Taken: After discussion, Ms. Phillips moved to vacate the final order entered in case 2015-20227. Motion seconded by Ms. Nixon, which carried unanimously.

G. Motions for Reconsideration

74. Hong Ma, L.M.T.

Case # 2015-14368

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

75. Guy Volel, L.M.T.

Case # 2015-15901

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

H. Motion to Set Aside Final Order

~~76. Qiting Duan, L.M.T.~~

~~Case # 2017-03925~~

Continued at the request of Respondent representation.

I. Motion to Assess Costs

77. Jorge Pruneda, L.M.T.

Case # 2016-28331

Action Taken: After discussion, Ms. Phillips moved to assess costs in the amount of \$9,668.20 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

II. REPORTS

A. Prosecutor's Report

Mr. Wilson provided a verbal account of the overall inventory of massage cases currently in inventory with Prosecution Services.

Action Taken: After discussion, Ms. Havard moved to direct Prosecution Services to continue prosecuting year and older cases. Motion seconded by Ms. Nixon, which carried unanimously.

B. Review and Approval of Minutes

April 2018 General Business Meeting Minutes

June 2018 Conference Call Meeting Minutes

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

C. Board Counsel's Report – Lee Ann Gustafson, Esq.

May 2018 Rules Report

June 2018 Rules Report

July 2018 Rules Report

Annual Regulatory Plan

Action Taken: After discussion, Ms. Phillips moved to delegate approval of the completed Annual Regulatory on behalf of the board to Ms. Drago. Motion seconded by Ms. Nixon, which carried unanimously.

D. Legislative Liaison Report

E. Vice Chair Report

F. Public Relations Liaison Report

Ms. Drago provided additional information about the Board's participation Florida State Massage Therapy Association (FSMTA) Successful Start Panel and legislative summit, as part of their annual convention. Ms. Drago asked for Mr. McIntosh, Legislative Chair (FSMTA) and Ms. Embleton, Government Relations Director (Associated Bodywork and Massage Professionals, *ABMP*) to summarize the purpose of the summit and the roles of the profession organizations in that summit.

Mr. McIntosh and Ms. Embleton indicated that the profession associations were able to successfully work, as part of the legislative summit, to find common ground on issues which affect the profession of Massage Therapy in Florida.

G. Rules Liaison Report

H. Budget Liaison Report

MQA Spending Plan (FY 17-18)

I. Executive Director's Report

Ratification of Licensure (12-12-2017 – 07-02-2018)

Action Taken: After discussion, Ms. Havard moved to ratify the licenses issued. Motion seconded by Ms. Nixon, which carried unanimously.

J. School Liaison Report

K. Continuing Education Liaison Report

Ratification of Approved Continuing Education Providers (03-30-2018 – 07-02-2018)

Action Taken: After discussion, Ms. Wakeman moved to ratify the approved continuing education providers. Motion seconded by Ms. Phillips, which carried unanimously.

Ratification of Approved Pro-Bono Requests (03-30-2018 – 07-02-2018)

Action Taken: After discussion, Ms. Wakeman moved to ratify the approved pro-bono requests. Motion seconded by Ms. Phillips, which carried unanimously.

L. Unlicensed Activity Report

M. Healthiest Weight Liaison Report

III. ADMINISTRATIVE PROCEEDINGS

A. Requests for Informal Hearing

78. Orlando Nails and Barber Institute **File # 429**

Applicant was present without representation.

Action Taken: After discussion, the applicant verbally withdrew their application and request for informal hearing.

B. Request to Set Aside Order Rescinding License

79. Ping Wang **License # MA76582**

Applicant was not present.

Action Taken: After discussion, Ms. Havard moved to deny the motion to set aside order rescinding license. Motion seconded by Ms. Phillips, which carried unanimously.

C. Applicants with Foreign Education

80. Pitura-Hutchinson, Cameron James **File # 95779**

Applicant was present without counsel.

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

D. Applicants with History

81. Burry, Michael **File # 95804**

Applicant was not present.

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

- Pay \$1,000.00 administrative fine within 6 months days of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year days of the filing of the final order.

Motion seconded by Ms. Havard, which carried unanimously.

82. Chalupsky, Jesse **File # 82166**

Applicant was not present.

Action Taken: After discussion, Ms. Havard moved to require appearance. Motion seconded by Ms. Phillips, which carried unanimously.

83. Christe, Ronal Joseph

File # 95784

Applicant was not present.

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

- Pay \$1,000.00 administrative fine within 6 months of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Mr. Brooks, which carried unanimously.

84. Curry, Verbain

File # 95831

Applicant was not present.

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

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

Motion seconded by Ms. Nixon, which carried unanimously.

(Determination of Waiver)

26. Christopher Boin, L.M.T.

Case # 2015-26999

PCP: DRAGO/WAKEMAN

Respondent was present without counsel.

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

Additional Action Taken: After discussion, Ms. Phillips moved to amend the previous motion to allow 1 year from the date of entry of the final order for payment of fines and costs. Motion seconded by Ms. Havard, which carried unanimously.

(Applicants with History – Continued)

85. Dennis, Derrick Dewon

File # 96717

Applicant was not present.

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

- Pay \$1,000.00 administrative fine within 6 months of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Phillips, which carried unanimously.

86. Diesterhaupt, Brian

File # 96219

Applicant was present without counsel.

Action Taken: After discussion, Mr. Brooks moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which carried 5/1 with Ms. Nixon opposing the motion.

Additional Action Taken: After discussion, Ms. Havard moved to reconsider the previous motion. Motion seconded by Mr. Brooks, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved to grant the license unencumbered. Motion seconded by Ms. Phillips, which carried 5/1 with Ms. Nixon in opposition.

87. Dingess, Jonathon S.

File # 96915

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

Motion seconded by Ms. Drago, which carried unanimously.

88. Firoz, Sweeta Rita

File # 96709

Applicant was not present.

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

Motion seconded by Mr. Brooks, which carried 5/1 with Ms. Phillips opposing the motion.

89. Gibson, Ernest

File # 95910

Applicant was present without counsel.

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

- Satisfy obligations to the Board of Nursing with regards to fines and costs within 2 years.
- Pay \$1,000.00 administrative fine within 1 year of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Nixon, which carried 4/2 with Ms. Havard and Ms. Drago in opposition.

90. Karouz, Matthew

File # 96448

Applicant was not present.

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

- Pay \$1,000.00 administrative fine within 1 year of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Nixon, which carried unanimously.

91. Li, Wanxin

File # 96259

Applicant was present without counsel.

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

- Prior disciplinary action.

Motion seconded by Ms. Havard, which carried unanimously.

Additional Action Taken: After discussion, Ms. Havard moved to reconsider the previous motion. Motion seconded by Mr. Brooks, which carried 5/1 with Ms. Nixon in opposition.

Additional Action Taken: After discussion, Mr. Brooks moved to grant the license unencumbered. Motion seconded by Ms. Wakeman, which carried 5/1 with Ms. Drago in opposition.

92. Liu, Jian Ping

File # 95234

Applicant was not present.

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

- Prior disciplinary history.

Motion seconded by Mr. Brooks, which carried unanimously.

93. Martinez, Maria

File # 96602

Applicant was present without counsel.

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

- Previous criminal history (crime related to the practice).

Motion seconded by Ms. Drago, which carried 5/1 with Mr. Brooks opposing the motion.

94. Mathis, Kristie

File # 96288

Applicant was present without counsel.

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

- PRN Evaluation to be completed within 90 days of the filing of the final order.
- Amend application to indicate the history where appropriate.

Motion seconded by Mr. Brooks, which carried unanimously.

95. Nalewaiski, Mark Anthony

File # 96153

Applicant was not present.

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

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

Motion seconded by Mr. Brooks, which carried unanimously.

96. Newman, Sara Kathryn

File # 95930

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 6 months of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Phillips, which carried unanimously.

97. Portner, Raymond R.

File # 95785

Applicant was present without counsel.

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

(Petitions for Variance or Waiver)

A-02. Rowell, Lauri Joy

File # 97127 EARLIER

Action Taken: After discussion, Ms. Havard moved to issue the license on condition that the applicant take and successfully pass the Massage and Bodywork Licensing Exam (MBLEx). Motion seconded by Mr. Brooks, which carried unanimously.

(Board Approved Massage Schools)

106. Sacred Heart International Institute

File # 422

Action Taken: The applicant verbally withdrew the application for Board approval of their massage school.

(Applicants with History – Continued)

98. Puri, Odalys

File # 96627

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).
- Prior discipline

Motion seconded by Ms. Havard, which carried unanimously.

99. White, Rea Sandrina

File # 96046

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 6 months of the filing of the final order.
- Complete a 10 Hour Florida Laws and Rules course in addition to required continuing education within 1 year of the filing of the final order.

Motion seconded by Ms. Havard, which carried unanimously.

100. Zhang, Lifan

File # 95871

Applicant was not present.

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

- Previous disciplinary history

Motion seconded by Ms. Wakeman, which carried unanimously.

101. Zhu, Yongzhi

File # 96101

Applicant was not present.

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

A-01. Rios, Jon

File # 96480

Applicant was not present.

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

E. Petitions for Variance or Waiver

102. McElroy, Thania

File # 94047

Applicant was not present.

Action Taken: After discussion, Ms. Phillips moved to deny the petition and application, with the option for the applicant to withdraw the application. Motion seconded by Mr. Brooks, which carried unanimously.

A-02. Rowell, Lauri Joy

File # 97127

This item was heard earlier in the meeting.

103. Wu, De Dao

File # 87563

Applicant was not present.

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

104. Holistic Healing Massage and Wellness

License # MM17447

Lisa A. Beatty

MA38084

Applicant was not present.

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

F. Petitions for Declaratory Statement

105. Florida Medical Centers

CAC – FLORIDA MEDICAL CENTERS, LLC

MM32186, MM15253, MM35162, MM14533

CONTINUCARE MDHC, LLC

MM21461, MM21547, MM21498, MM21603

CONTINUCARE MEDICAL MANAGEMENT, LLC

MM35349, MM35701

Petitioner was not present.

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

G. Board-approved Massage Programs

~~106. Sacred Heart International Institute~~ File # 422

This item was heard earlier in the meeting.

H. Apprenticeships

107. Benitez, Dana File # 356

Applicant was not present.

Action Taken: After discussion, Ms. Phillips moved that this review would require a petition for variance or waiver. Motion seconded by Mr. Brooks, which carried unanimously. The Board directed Board staff to send correspondence advising the apprentice.

108. Crommett, Kiri File # 367

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

109. Wong, Natalie File # 233

Action Taken: The Board directed Board staff to send correspondence advising the apprentice submit a petition for variance or waiver.

IV. RULES DISCUSSION

A. 64B7-24.016 – Time for Payment of Civil Penalties

Action Taken: After discussion, Ms. Phillips moved to accept the proposed rule language. Motion seconded by Ms. Wakeman, which carried unanimously.

SERC QUESTIONS:

- 1, 2. Ms. Havard moved that the proposed language does not impact small business. Motion seconded by Mr. Brooks, which carried unanimously.
3. After discussion, Ms. Havard moved that the proposed language does not impact regulatory costs in excess of one million dollars. Motion seconded by Ms. Phillips, which carried unanimously.
4. After discussion, Ms. Havard moved that the proposed language would not constitute a minor violation. Motion seconded by Ms. Phillips, which carried unanimously.

B. 64B7-26.003 – Massage Establishment Operations

Action Taken: After discussion, Ms. Phillips moved to accept the proposed rule language. Motion seconded by Ms. Wakeman, which carried unanimously.

SERC QUESTIONS:

- 1, 2. Ms. Havard moved that the proposed language does not impact small business. Motion seconded by Mr. Brooks, which carried unanimously.
3. After discussion, Ms. Havard moved that the proposed language does not impact regulatory costs in excess of one million dollars. Motion seconded by Mr. Brooks, which carried unanimously.
4. After discussion, Ms. Havard moved that the proposed language would not constitute a minor violation. Motion seconded by Ms. Phillips, which carried unanimously.

C. 64B7-30 – Disciplinary Guidelines

Action Taken: The Board amended disciplinary guidelines in response to correspondence received from JAPC. After discussion, Ms. Phillips moved to adopt the proposed rule language as amended. Motion seconded by Ms. Wakeman, which carried unanimously.

Additional Action Taken: After discussion, Mr. Brooks moved that the proposed language, as amended, did not alter the Board's responses to the SERC questions as posed during the first discussion. Motion seconded by Ms. Wakeman, which carried unanimously.

V. GENERAL BUSINESS DISCUSSION

A. OLD BUSINESS

B. NEW BUSINESS

Delegated Authority (2018) – Proposed Update

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

Proposed Meeting Dates (2019)

Board Member Information

Ms. Havard requested that Board members provide updated information for the purposes of publication on the Board website.

Chair Absence

Ms. Havard will not attend the October General Business meeting.

FSMTB Annual Meeting

Action Taken: After discussion, Ms. Phillips moved that Ms. Drago should represent the Florida Board of Massage Therapy at the FSMTB Annual Meeting. Motion seconded by Ms. Havard, which carried unanimously.

September Conference Call Scheduling

The Board members reached the consensus that a conference call meeting should be scheduled for early September and directed Board staff to schedule said meeting.

VIII. ADJOURN