



General Business Meeting

January 28 – 29, 2019
9:00 a.m., ET

Hyatt Regency Orlando
9801 International Drive
Orlando, Florida 32819

MEETING MINUTES

CALL TO ORDER

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

MEMBERS PRESENT

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

BOARD COUNSEL

Diane Guillemette, Esq., *Assistant Attorney General*

STAFF PRESENT

Kama Monroe, Executive Director
Gerry Nielsen, Program Operations Administrator
Leah Compagnone-Bolt, Administrative Assistant II

DEPARTMENT PROSECUTING ATTORNEYS

John Wilson, Esq., Assistant General Counsel
Mary Iglehart, Esq., Assistant General Counsel
Christina Shideler, Esq., Assistant General Counsel
Kristen Summers, Esq., Assistant General Counsel

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. Informal Hearings

14. DAN SHA, LMT Case # 2015-05760 PCP: DRAGO/WAKEMAN; DAVIS/WALKER

Applicant was not present. Mr. Sommerville, Esq. represented Ms. Sha. Ms. Shideler represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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, Ms. Nixon 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 constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Nixon moved to revoke the license, impose a fine in the amount of \$10,250.00 and assess costs in the amount of \$45.68 to be paid within two years of the filing of the final order, with aggravating factors on the record. Motion seconded by Mr. Brooks, which carried unanimously.

18. XIAO REN HOU, LMT Case # 2016-16535 PCP: WAKEMAN/WHITRIDGE

Applicant was not present. Mr. Sommerville, Esq. was present, and represented Ms. Hou. Ms. Shideler represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to revoke the license and impose a fine in the amount of \$1,250.00 to be paid within 1 year of the filing of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$172.24 to be paid within one year of the filing of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

19. XIAO REN HOU, LMT Case # 2017-11001 PCP: WAKEMAN/WHITRIDGE

Applicant was not present. Mr. Sommerville, Esq. was present, and represented Ms. Hou. Ms. Shideler represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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, 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 constitute a violation of the practice act. 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 \$3,500 to be paid within 1 year of the filing of the final order. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Ms. Nixon moved to assess costs in the amount of \$942.78 to be paid within 1 year of the filing of the final order. Motion seconded by Ms. Havard, which carried unanimously.

BREAK 10:01 – 10:22

110. MARIA D. CASTRO, LMT (WAIVER) Case # 2018-06361 PCP: DRAGO/HAYNES

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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. 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 constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to suspend the license until a PRN evaluation is completed and the licensee is deemed safe to practice or complies with the recommendations of PRN. Motion seconded by Ms. Nixon, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$3,055.71 to be paid within 3 years of the filing of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

82. DONDRIA SHAUN THOMPSON, LMT (DW) Case # 2015-15852 PCP: BROOKS/WAKEMAN

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

Action Taken: After discussion, Ms. Nixon moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. 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 constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to dismiss the case. Motion seconded by Dr. Phillips, which carried unanimously.

06. EDWINA MARIE SZEMPRUCH, LMT

Case # 2014-22240

PCP: HAVARD/DRAGO

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

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Dr. Phillips, 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 constitute a violation of the practice act for count one of the administrative complaint, with count two dismissed. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, impose a fine in the amount of \$250.00 to be paid within 90 days of the filing of the final order, and to require a ten-hour Florida Laws and Rules continuing education course to be completed above and beyond renewal requirements by August 31, 2019 with mitigating factors on the record. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$14.78 to be paid within 90 days of the filing of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

12. JESSE NEGRON, LMT

Case # 2017-12385

PCP: DRAGO/HAYNES

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 for the purpose of imposing discipline, to 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 Dr. 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 find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reprimand the license, to impose a fine in the amount of \$1,000.00 to be paid within 2 years of the filing of the final order, to require a ten-hour Florida Laws and Rules continuing education course to be completed above and beyond renewal requirements by August 31, 2019, a two-hour Professional Ethics continuing education course to be completed above and beyond renewal requirements within one year of the filing of the final order, and to provide a letter from a qualified practitioner stating the licensee is safe to practice within 90 days of the filing of the final order, with aggravating factors on the record. Motion seconded by Dr. Phillips 5/1, with Mr. Brooks in opposition.

Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$15.04 to be paid within 2 years of the filing of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

13. RENE RODRIGUEZ, LMT**Case # 2016-11288****PCP: DRAGO/HAYNES**

Respondent was present without Counsel. 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 for the purpose of imposing discipline, to 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 Dr. Phillips, 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 constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to revoke the license and impose a fine of \$2,500.00 to be paid within 2 years of the filing of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$972.72 to be paid within 2 years of the filing of the final order. Motion seconded by Ms. Havard, which carried unanimously.

BREAK: 11:38 – 12:02**20. XIAODAN CHEN, LMT****Case # 2017-02664****PCP: WAKEMAN/WHITRIDGE**

Respondent was present without Counsel. Ye Zhang was sworn in as translator (Mandarin). Ms. Shideler represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to impose a fine of \$250.00 and assessed costs in the amount of \$553.29 to be paid within 1 year of the filing of the final order, and to require a ten-hour Florida Laws and Rules continuing education course to be completed above and beyond renewal requirements by August 31, 2019. Motion seconded by Mr. Brooks, which carried unanimously.

21. BERNARD J. TALLMAN, LMT**Case # 2017-23659****PCP: WAKEMAN/WHITRIDGE**

Respondent was present with Counsel, Mr. Clerone, Esq. Ms. Shideler represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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, 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 constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to impose a fine in the amount of \$1,000.00 and assess costs in the amount of \$449.53 to be paid within 6 months of the filing of the final order, and to require a ten-hour Florida Laws and Rules continuing education course to be completed above and beyond renewal requirements by August 31, 2019 with aggravating factors on the record. Motion seconded by Ms. Havard, which carried unanimously.

23. EAST MEETS WEST MASSAGE AND SPA Case # 2017-23666 PCP: WAKEMAN/WHITRIDGE

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Ms. Drago, which carried unanimously.

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 constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, impose a fine of \$1,000.00 and assess costs in the amount of \$427.45 to be paid within 6 months of the filing of the final order, with aggravating factors on the record. Motion seconded by Ms. Drago, which carried unanimously.

29. TRACY J. ACUNA, LMT Case # 2014-21923 PCP: BROOKS/WHITRIDGE

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Ms. Wakeman, which carried unanimously.

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

Action Taken: After discussion, Dr. Phillips moved to impose a fine in the amount of \$250.00 and assess costs in the amount of \$18.13 to be paid within 6 months of the filing of the final order, and to require a ten-hour Florida Laws and Rules continuing education course to be completed above and beyond renewal requirements by August 31, 2019, with mitigating factors on the record. Motion seconded by Ms. Havard, which carried unanimously.

31. JULIUS PERRY, JR. LMT Case # 2018-04049 PCP: BROOKS/SPASSOFF

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Ms. Wakeman, which carried unanimously.

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 constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to impose a \$350.00 fine and assess costs in the amount of \$293.77 to be paid within 1 year of the filing of the final order, and to require a ten-hour Florida Laws and Rules continuing education course to be completed above and beyond renewal requirements by August 31, 2019, with aggravating factors on the record. Motion seconded by Ms. Havard, which carried unanimously.

Respondent was present without Counsel. Mr. Alex Yu was sworn in as an interpreter (Mandarin). 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 for the purpose of imposing discipline, to 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 Dr. Phillips, which carried unanimously.

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

Action Taken: After discussion, Ms. Nixon moved to impose a fine in the amount of \$250.00 and to assess costs in the amount of \$420.17 to be paid within 90 days of the filing of the final order. Motion seconded by Ms. Havard, which carried unanimously.

Respondent was not present. Ms. Mitchell, Esq. was present and represented the respondent. Ms. Shideler represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Dr. 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 find that the findings of fact and conclusions of law constitute a violation of the practice act. 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 \$2,000.00 to be paid within 2 years of the filing of the final order. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$298.73 to be paid within 2 years of the filing of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

114. LAURA ANN ELERBE, LMT**Case # 2016-28571****PCP: HAVARD/DRAGO**

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, 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 constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to impose a fine in the amount of \$250.00 to be paid within 1 year of the filing of the final order, and to require a ten-hour Florida Laws and Rules continuing education course to be completed above and beyond renewal requirements by August 31, 2019 with aggravating factors on the record. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$397.44 to be paid within 1 year of the filing of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

116. XIAOJING CAO, LMT**Case # 2016-21689****PCP: HAVARD/BROOKS**

Respondent was present without Counsel. Mr. Donghai Tan was sworn in as interpreter (Mandarin). Ms. Shideler represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Nixon moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. 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 constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to revoke the license and impose a fine in the amount of \$2,500.00 to be paid within 1 year of the filing of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: Motion for costs was withdrawn by Prosecution Services.

03. XIUYING MENG, LMT**Case # 2017-06975****PCP: NIXON/SPASSOFF**

Respondent was not present. Mr. Raheb represented the Respondent. 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 for the purpose of imposing discipline, to 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 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 find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Drago moved to revoke the license, and to impose an administrative fine in the amount of \$1,000.00 to be paid within 1 year of the filing of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

72. MINGFANG LI, LMT**Case # 2017-15029****PCP: NIXON/HAYNES**

Respondent was present with Counsel, Mr. Raheb. Ms. Joann Ji was sworn in as interpreter (Mandarin). Ms. Shideler represented the Department and presented the case to the Board.

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to 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, 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 constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to revoke the license and impose a fine in the amount of \$2,500.00 to be paid within 1 year of the filing of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to waive costs. Motion seconded by Ms. Havard, which carried unanimously.

07. HANNAH ADAMS, LMT**Case # 2014-22238****PCP: HAVARD/DRAGO**

Respondent was present with Counsel, Mr. Roth, Esq. Ms. Boswell represented the Department and presented the case to the Board.

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

Items 38, 40 and 45 were taken en masse.

38. ARLENES CORRAL RODRIGUEZ, LMT**Case # 2017-10055****PCP: DRAGO/HAYNES**

Costs: \$1,000.00

40. LESLIE ANN LEMMON, LMT**Case # 2016-18310****PCP: DRAGO/WAKEMAN**

Costs: \$1,937.88

45. SOLE ESCAPE, LLC (SETTLEMENT)**Case # 2018-05367****PCP: WAKEMAN/WHITRIDGE**

Costs: 651.49

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

Items 51 and 52 were taken together.

51. TRACY ELAINE STEWART, LMT**Case # 2017-16976****PCP: WAIVED****52. TRACY ELAINE STEWART, LMT****Case # 2017-20741****PCP: WAIVED**

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

56. DIANA D. DOUGLAS, LMT**Case # 2015-16380****PCP: HAVARD/BROOKS**

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

Items 57 and 58 were taken together.

57. JISHU YIN, LMT Case # 2015-29267 PCP: HAVARD/WHITRIDGE
58. NICOLAS DENIS, JR., LMT Case # 2018-13844 PCP: HAVARD/HAYNES

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

Items 59 and 60 were taken together.

59. ANGEL L. TORRES CARBALLO, LMT Case # 2017-18172 PCP: HAVARD/PHILLIPS
60. CHRISTIAN ROJAS-CAMPILONGO, LMT Case # 2015-15460 PCP: HAVARD/PHILLIPS

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

61. ADRIAN VIDAL, LMT Case # 2017-19519 PCP: NIXON/SPASSOFF

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

62. YOU ZHANG, LMT Case # 2018-08282 PCP: BROOKS/SPASSOFF

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

Items 63, 66, 67 and 68 taken en masse.

63. ALEXIS PEREZ, LMT Case # 2015-03293 PCP: DRAGO/HAYNES
66. GUIYU JIN, LMT Case # 2016-29713 PCP: DRAGO/HAYNES
67. YAN MIN WEN, LMT Case # 2017-01898 PCP: DRAGO/HAYNES
68. VANILLA SPA Case # 2016-19854 PCP: DRAGO/HAYNES

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

44. XIXIU SUN, LMT Case # 2016-25500 PCP: BROOKS/WHITRIDGE

Action Taken: After discussion, Dr. Phillips moved to reject the proposed settlement agreement and counteroffer the terms of the settlement agreement with the addition of a ten-hour Florida Laws and Rules course to be completed by August 31, 2019. Motion seconded by Ms. Drago, which carried unanimously.

130. HYLTON, TRACEY NICOLE File # 97849

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

134. SZYMANSKI, DALE MICHAEL File # 98223

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

138. LIPORI, DAWN

File # N/A

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

22. ZHAO MASSAGE SPA

Case # 2016-22730

PCP: WAKEMAN/WHITRIDGE

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Dr. 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 find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Havard to impose an administrative fine in the amount of \$1000.00 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$1,069.79 within 1 year of the filing of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

16. LORETTA MARIE KLIMASZEWSKI, LMT

Case # 2015-30697

PCP: DRAGO/WHITRIDGE

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Ms. Wakeman, 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 constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to place the license on probation for 1 year, to impose an administrative fine in the amount of \$500.00 to be paid within 9 months of the filing of the final order, and to require the appearance of the respondent with documentation from a qualified practitioner stating that the respondent is safe to practice. Motion seconded by Dr. Phillips, which carried 3/1 with Ms. Havard in opposition.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$164.30. Motion seconded by Mr. Brooks, which carried unanimously.

108. XIUQIN YANG, LMT**Case # 2017-02931****PCP: WAKEMAN/WHITRIDGE**

Respondent was present without counsel. Ms. Joann Ji was sworn in as interpreter (Mandarin).

Action Taken: After discussion, Ms. Nixon moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to 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, Ms. Nixon moved accept the conclusions of law as set forth in the administrative complaint and find 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 impose an administrative fine in the amount of \$1,250.00 to be paid within 2 years of the filing of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to waive costs. Motion seconded by Mr. Brooks, which carried unanimously.

111. HEALTHY TOUCH MASSAGE BRANDO**Case # 2016-20365****PCP: DRAGO/HAYNES**

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to 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, 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 constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to impose a fine in the amount of \$1,000.00 and to assess costs in the amount of \$482.27 to be paid within 6 months of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

A-02. Aguirre, Melissa – Required Appearance**File # 97550**

Applicant was present without Counsel.

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

36. DAO MASSAGE, INC.**Case # 2013-14390****PCP: SMALLWOOD/BURKE-WAMMACK**

Action Taken: After discussion, Dr. Phillips moved to reject the proposed settlement agreement and to counteroffer the terms of the settlement agreement with the addition of a suspension of the license until the licensee complies with all local codes and provides proof of insurance, to pay an administrative fine in the amount of \$1,000.00 within 1 year, and to assess costs in the amount of \$611.33 to be paid within 1 year. Motion seconded by Ms. Wakeman, which carried unanimously.

- 39. DALAL A. ZABAN, LMT** **Case # 2015-12416** **PCP: DRAGO/WAKEMAN**
Action Taken: After discussion, Dr. Phillips moved to reject the settlement agreement and counteroffer the terms of the settlement agreement with the addition of 10 hours of Florida Laws and Rules to be completed by August 31, 2019. Motion seconded by Ms. Havard, which carried unanimously.
Action Taken: After discussion, Dr. Phillips Moved to assess costs in the amount of \$494.69. Motion seconded by Mr. Brooks, which carried unanimously.
- 41. TARA L. MACK, LMT** **Case # 2015-16449** **PCP: DRAGO/WAKEMAN**
Respondent was not present. Mr. Wilson represented the Department and presented the case to the Board.
Action Taken: After discussion, Dr. Phillips moved to reject the proposed settlement agreement and counteroffer the terms of the proposed settlement agreement with the addition of a ten-hour Florida Laws and Rules course to be completed by August 31, 2019, and an administrative fine in the amount of \$1,000.00 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.
Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$365.00 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.
COSTS
- 42. WILLIAM KELLY BLACKBURN, LMT** **Case # 2015-01118** **PCP: PHILLIPS/BROOKS**
Action Taken: After discussion, Ms. Wakeman moved to accept the settlement agreement. Motion seconded by Ms. Havard, which carried unanimously.
- 43. MICHAEL'S PHOENIX** **Case # 2015-07369** **PCP: BROOKS/WHITRIDGE**
Action Taken: After discussion, Ms. Havard moved to accept the settlement agreement. Motions seconded by Ms. Drago, which carried unanimously.
Costs: \$857.53
- 44. XIXIU SUN, LMT** **Case # 2016-25500** **PCP: BROOKS/WHITRIDGE**
Action Taken: After discussion, Ms. Wakeman moved to accept the settlement agreement. Motion seconded by Ms. Havard, which carried unanimously.
- 46. ANAY ARENCIBIA MONTERO, LMT** **Case # 2017-11069** **PCP: WAKEMAN/WHITRIDGE**
Action Taken: After discussion, Ms. Nixon moved to reject the proposed settlement agreement. Motion seconded by Ms. Havard, which carried unanimously.

75. MARGERY C. CARL, LMT**Case # 2015-14851****PCP: PHILLIPS/BROOKS**

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

Action Taken: After discussion, Ms. Nixon moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Nixon 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 constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Nixon 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. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Nixon moved to assess costs in the amount of \$121.40 to be paid within 90 days. Motion seconded by Ms. Drago, which carried unanimously.

76. LONNIE W. LYNCH, JR., LMT**Case # 2015-20154****PCP: PHILLIPS/BROOKS**

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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept 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 find 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 impose a fine in the amount of \$1,000 to be paid within 90 of the entry of the final order. Motion seconded by Ms. Nixon, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to waive costs. Motion seconded by Ms. Wakeman, which carried unanimously.

77. TRACI L. DIELMANN, LMT**Case # 2014-22040****PCP: PHILLIPS/BROOKS**

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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find 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. Havard moved to reprimand the license, impose a fine in the amount of \$1,000.00 to be paid within 1 of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$592.83 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

78. BAOHUA YIN, LMT**Case # 2016-27439****PCP: HAVARD/BROOKS**

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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Nixon, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to revoke the license, to impose a fine in the amount of \$2,500.00 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to waive costs. Motion seconded by Ms. Drago, which carried unanimously.

74. ANTUAN CAPIRO, LMT**Case # 2015-15466****PCP: DRAGO/PHILLIPS**

Continued at the request of Counsel.

92. JUAN PABLO MENDIZ, LMT**Case # 2018-10127****PCP: DRAGO/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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to revoke the license, to impose a fine in the amount of \$2,500.00 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to waive costs. Motion seconded by Mr. Brooks, which carried unanimously.

93. TARA BRANGMAN, LMT**Case # 2015-15528****PCP: DRAGO/WAKEMAN**

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

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

Action Taken: After discussion, Dr. Phillips to assess costs in the amount of \$17.80 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

94. MARISELLY RIVERO, LMT**Case # 2015-16026****PCP: DRAGO/WAKEMAN**

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find 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, Dr. Phillips moved to reprimand the license, to impose a fine in the amount of \$1,000.00 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks to assess costs in the amount of \$4.03 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

95. SHAYNA G. SCHROEDER, LMT**Case # 2015-16075****PCP: DRAGO/WAKEMAN**

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reprimand the license, to suspend the license until the licensee complies with background screening requirements, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Dr. Phillips, which carried unanimously.

96. ENELBYS FERNANDEZ, LMT**Case # 2015-12036****PCP: DRAGO/WAKEMAN**

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, 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, with aggravating factors on the record. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to waive costs. Motion seconded by Mr. Brooks, which carried unanimously.

103. CAROL SHENKEL, LMT**Case # 2015-12679****PCP: DRAGO/WAKEMAN**

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

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

112. DYLAN PHILLIP CULLISON, LMT**Case # 2015-15420****PCP: HAVARD/DRAGO**

Respondent was not present. 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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find 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, Mr. Brooks moved to to suspend the license, to impose an administrative fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$8.22 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

113. THOMAS ROCCO WITHINGTON, LMT**Case # 2015-15420****PCP: HAVARD/DRAGO**

This item was continued.

115. JOSE L. PEREZ, LMT**Case # 2015-13232****PCP: HAVARD/BROOKS**

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find 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, Dr. Phillips moved moved to reprimand the license, to impose an administrative fine in the amount 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved moved to assess costs in the amount of \$19.90 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. 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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reprimand the license, to suspend the license until compliant with background screening requirements, to impose an administrative fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$16.13 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

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

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to reprimand the license, to suspend the license until compliant with backgrounds screening requirements, to impose an administrative fine in the amount 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$52.39 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. Mr. Wilson represented the Department and presented the case to the Board.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$9,668.20 to be paid within 1 year of the entry of the final order, at a rate of \$2,000.00 per year. Motion seconded by Ms. Drago, which carried unanimously.

Recess 7:34 pm

15. MIURIZ DIAZ DE VILLEGAS, LMT

Case # 2015-30697

PCP: DRAGO/WHITRIDGE

Applicant was present without counsel.

Applicant requested continuance.

Action Taken: After discussion, Ms. Havard moved to continue the case. Motion seconded by Dr. Phillips, which carried unanimously.

45. SOLE ESCAPE, LLC (SETTLEMENT)

Case # 2018-05367

PCP: WAKEMAN/WHITRIDGE

Respondent was present without Counsel.

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

Costs: \$651.49

37. JENNIFER XIAO, LMT

Case # 2014-22022

PCP: NIXON/HARRISON

Applicant was present with Counsel. Ms. Shideler represented the Department and presented the case to the Board.

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. 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 constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose an administrative 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$36.27 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

112. DYLAN PHILLIP CULLISON, LMT

Case # 2015-15420

PCP: HAVARD/DRAGO

Respondent was present without Counsel.

Action Taken: After discussion, Mr. Brooks moved to reopen the item for discussion. Motion seconded by Dr. Phillips, which carried unanimously.

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

123. SHUFANG LI, LMT (RO) Case # 2016-28204 / DOAH # 18-0898PL PCP: HAVARD/DRAGO

Applicant was present with Counsel, Mr. Gennaro Cariglio, Esq. An interpreter was present to translate from Mandarin to English.

Action Taken: After discussion, Mr. Brooks moved that the Respondent's exceptions were timely filed. Motion seconded by Ms. Nixon, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reject the Respondent's first exception. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reject the Respondent's second exception. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reject the Respondent's third exception. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reject the Respondent's fourth exception. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reject the Respondent's fifth exception. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reject the Respondent's sixth exception. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reject the Respondent's seventh exception. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reject the Respondent's eighth exception. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reject the Respondent's ninth exception. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reject the Respondent's tenth exception. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reject the Respondent's eleventh exception. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reject the Respondent's twelfth exception. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reject the Respondent's thirteenth exception. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to adopt the findings of fact of the administrative law judge as the findings of fact for this proceeding. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to adopt the conclusions of law of the administrative law judge as the conclusions of law for this proceeding. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to adopt the recommended penalty as set forth in the recommended order, to assess costs in the amount of \$8,304.18 with all fines and costs payable at not less than \$2,000.00 per year. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to deny respondent's request for stay. Motion seconded by Dr. Phillips, which carried unanimously.

RECESS 10:25 am – RECONVENE 10:50 am

128. DYAL, CINDY (applicant) File # 98211

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

132. MURPHY, MEAGAN MARIE File # 96917

Action Taken: After discussion, Dr. Phillips moved to issue the license with the following conditions:

- to impose a fine in the amount of \$1,000 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 above and beyond renewal requirements by August 31, 2019.

Motion seconded by Ms. Drago, which carried unanimously.

81. MARITZA MARCANO, LMT (AS INF) Case # 2015-13654 PCP: BROOKS/WHITRIDGE

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint, and to convene an informal hearing in accordance with 120.57(2), Florida Statutes. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. 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 constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips to assess costs in the amount of \$21.16 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

124. GARY MACNEIL, LMT (WAIV) Case # 2016-16976 / DOAH # 18-0898 PCP: BROOKS/WHITRIDGE

Respondent was not present. Respondent was represented by Mr. Terrell, Esq. Ms. Boswell represented the Department and presented the case to the Board.

Respondent's Exceptions to ALJ Findings of Fact

Action Taken: After discussion, Ms. Nixon moved to reject the Respondent's first exception to findings of fact. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reject the Respondent's second exception to findings of fact. Motion seconded by Ms. Nixon, which carried unanimously.

Action Taken: After discussion, Ms. Nixon moved to reject the Respondent's third exception to findings of fact. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reject the Respondent's fourth exception to findings of fact. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reject the Respondent's fifth exception to findings of fact. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reject the Respondent's sixth exception to findings of fact. Motion seconded by Ms. Nixon, which carried unanimously.

Respondent's Exceptions to ALJ Conclusions of Law

Action Taken: After discussion, Ms. Wakeman moved to reject the Respondent's first exception to conclusions of law. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reject the Respondent's second exception to conclusions of law. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reject the Respondent's third, fourth, and fifth exceptions to conclusions of law. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reject the Respondent's sixth exception to conclusions of law. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to adopt the findings of fact of the administrative law judge as the findings of fact for this proceeding. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to adopt the conclusions of law of the administrative law judge as the conclusions of law for this proceeding. Motion seconded by Ms. Drago, which carried unanimously.

Having accepted the ALJ's findings of fact and conclusions of law, 2016-16976 was heard as a determination of waiver.

Action Taken: After discussion, Ms. Drago moved to find that the respondent was properly served and waived their right to an informal hearing. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence for the purpose of imposing discipline. Motion seconded by Dr. Phillips, which carried unanimously.

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

Action Taken: After discussion, Dr. Phillips moved to revoke the license and to impose a fine in the amount of \$2,500 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Drago moved to bifurcate and retain jurisdiction for costs. Motion seconded by Dr. Phillips, which carried unanimously.

04. LIAN F. PIAO, LMT**Case # 2015-00726****PCP: PHILLIPS/BROOKS**

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

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

Action Taken: After discussion, Ms. Havard to assess costs in the amount of \$6,092.39 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

08. CINDY POW-SANG, LMT**Case # 2015-13423****PCP: HAVARD/WAKEMAN**

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Ms. Drago, 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 constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements to be completed by August 31, 2019. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman to assess costs in the amount of \$12.79 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

01. ASHLEY ANN LOEBS, LMT**Case # 2014-19030****PCP: NIXON/DAVIS**

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find 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 \$750.00 to be paid within 180 days of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Havard to assess costs in the amount of \$575.89 to be paid within 180 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

02. COLIN ORLANDO BLACK, LMT**Case # 2017-13189****PCP: DRAGO/HAYNES**

Continued to next Board meeting.

~~03. XIUYING MENG, LMT Case # 2017-06975 PCP: NIXON/SPASSOFF~~

This item was heard earlier in the meeting.

~~04. LIAN F. PIAO, LMT Case # 2015-00726 PCP: PHILLIPS/BROOKS~~

This item was heard earlier in the meeting.

~~05. BRENT C. STUCKEY, LMT Case # 2017-04331 PCP: HAVARD/BROOKS~~

Continued at the request of the respondent.

~~06. EDWINA MARIE SZEMPRUCH, LMT Case # 2014-22240 PCP: HAVARD/DRAGO~~

This item was heard earlier in the meeting.

09. ALANIA B. BOYLES, LMT Case # 2015-13853 PCP: DRAGO/HAYNES

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

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

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

Action Taken: After discussion, Mr. Brooks to assess costs in the amount of \$18.79 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

~~10. NATALEA JOANNE POSTON, LMT Case # 2015-15039 PCP: DRAGO/HAYNES~~

Continued to next Board meeting.

11. LUAN BONELLY, LMT Case # 2017-18983 PCP: DRAGO/HAYNES

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to revoke the license and to impose a fine in the amount of \$5,000.00 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to waive costs. Motion seconded by Ms. Havard, which carried unanimously.

~~12. JESSE NEGRON, LMT Case # 2017-12385 PCP: DRAGO/HAYNES~~

~~*This item was heard earlier in the meeting.*~~

~~13. RENE RODRIGUEZ, LMT Case # 2016-11288 PCP: DRAGO/HAYNES~~

~~*This item was heard earlier in the meeting.*~~

~~14. DAN SHA, LMT Case # 2015-05760 PCP: DRAGO/WAKEMAN; DAVIS/WALKER~~

~~*This item was heard earlier in the meeting.*~~

~~15. MIURIZ DIAZ DE VILLEGAS, LMT Case # 2015-30697 PCP: DRAGO/WHITRIDGE~~

~~*This item was heard earlier in the meeting.*~~

~~16. LORETTA MARIE KLIMASZEWSKI, LMT Case # 2015-30697 PCP: DRAGO/WHITRIDGE~~

~~*This item was heard earlier in the meeting.*~~

~~17. RACHEL A. DIAZ, LMT Case # 2018-01705 PCP: WAKEMAN/WHITRIDGE~~

~~*Continued to Next Board Meeting*~~

~~18. XIAO REN HOU, LMT Case # 2016-16535 PCP: WAKEMAN/WHITRIDGE~~

~~*This item was heard earlier in the meeting.*~~

~~19. XIAO REN HOU, LMT Case # 2017-11001 PCP: WAKEMAN/WHITRIDGE~~

~~*This item was heard earlier in the meeting.*~~

~~20. XIAODAN CHEN, LMT Case # 2017-02664 PCP: WAKEMAN/WHITRIDGE~~

~~*This item was heard earlier in the meeting.*~~

~~21. BERNARD J. TALLMAN, LMT Case # 2017-23659 PCP: WAKEMAN/WHITRIDGE~~

~~*This item was heard earlier in the meeting.*~~

~~22. ZHAO MASSAGE SPA Case # 2016-22730 PCP: WAKEMAN/WHITRIDGE~~

~~*This item was heard earlier in the meeting.*~~

~~23. EAST MEETS WEST MASSAGE AND SPA Case # 2017-23666 PCP: WAKEMAN/WHITRIDGE~~

~~*This item was heard earlier in the meeting.*~~

24. SHOSHANNA LYNN RICHARDSON, LMT Case # 2017-17659 PCP: WAKEMAN/WHITRIDGE

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find 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, Dr. Phillips moved to suspend the license until the respondent appears with a letter stating they are safe to practice, and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to waive costs. Motion seconded by Ms. Havard, which carried unanimously.

25. LOIMA HERNANDEZ, LMT Case # 2015-14356 PCP: HAVARD/WHITRIDGE

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

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to suspend the license until licensee complies with background screening requirements, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Drago, which carried unanimously.

Costs withdrawn by the Department.

26. CHELSEA RUTH BENTLEY, LMT Case # 2016-30150 PCP: WAKEMAN/WHITRIDGE

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 for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reprimand the license, to impose a fine in the amount of \$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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips to assess costs in the amount of \$951.67 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

27. BARBARA MARIE PFLUGER, LMT (WAV) Case # 2018-04297 PCP: WAKEMAN/WHITRIDGE

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard 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 above and beyond renewal requirements by August 31, 2019, with aggravating factors on the record. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$184.31 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

28. ANA M. ROMERO, LMT Case # 2015-13343 PCP: BROOKS/WHITRIDGE

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

Action Taken: After discussion, Ms. Drago moved to accept the investigative report into evidence for the purpose of imposing discipline, to 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 Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. 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 constitute a violation of the practice act. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reprimand the license, to impose a fine in the amount of \$1,000 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$371.72 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

29. TRACY J. ACUNA, LMT Case # 2014-21923 PCP: BROOKS/WHITRIDGE

This item was heard earlier in the meeting.

30. CHRISTIANN F. SAMPLEY, LMT Case # 2015-16352 PCP: DRAGO/HAYNES

Pulled at the request of the Department

31. JULIUS PERRY, JR. LMT Case # 2018-04049 PCP: BROOKS/SPASSOFF

Pulled at the request of the Department

32. RUIJUN SUN, LMT Case # 2015-24823 PCP: BROOKS/SPASSOFF

Pulled at the request of the Department

33. LMH ATLANTIC, LLC**Case # 2018-02066****PCP: BROOKS/SPASSOFF**

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

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reprimand the license and to impose a fine in the amount of \$1,000.00 to be paid within 180 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman to assess costs in the amount of \$459.43 to be paid within 180 days of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

34. HANNE PEDERSEN, LMT**Case # 2016-00356****PCP: BROOKS/SPASSOFF**

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 for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to reprimand the license, to suspend the license until compliant with background screening requirements, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$15.66 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

35. KANDICE SEAY, LMT**Case # 2017-15841****PCP: BROOKS/SPASSOFF**

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to impose a fine in the amount of \$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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$137.34 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

B. Settlement Agreements

36. ~~DAO MASSAGE, INC. Case # 2013-14390 PCP: SMALLWOOD/BURKE-WAMMACK~~
37. ~~JENNIFER XIAO, LMT Case # 2014-22022 PCP: NIXON/HARRISON~~
38. ~~ARLENES CORRAL RODRIGUEZ, LMT Case # 2017-10055 PCP: DRAGO/HAYNES~~
39. ~~DALAL A. ZABAN, LMT Case # 2015-12416 PCP: DRAGO/WAKEMAN~~
40. ~~LESLIE ANN LEMMON, LMT Case # 2016-18310 PCP: DRAGO/WAKEMAN~~
41. ~~TARA L. MACK, LMT Case # 2015-16449 PCP: DRAGO/WAKEMAN~~
42. ~~WILLIAM KELLY BLACKBURN, LMT Case # 2015-01118 PCP: PHILLIPS/BROOKS~~
43. ~~MICHAEL'S PHOENIX Case # 2015-07369 PCP: BROOKS/WHITRIDGE~~
44. ~~XIXIU SUN, LMT Case # 2016-25500 PCP: BROOKS/WHITRIDGE~~
46. ~~ANAY ARENCIBIA MONTERO, LMT Case # 2017-11069 PCP: WAKEMAN/WHITRIDGE~~

These items were heard earlier in the meeting.

C. Voluntary Relinquishments

47. ~~SHENGYUAN THERAPEUTIC, INC. Case # 2018-17579 PCP: WAIVED~~

Pulled at the request of the Department.

48. ~~MICHELLE LEE OLSEN, LMT Case # 2018-06518 PCP: WAIVED~~

Pulled at the request of the Department.

49. ~~LUXURY MASSAGE, LLC Case # 2018-11796 PCP: WAIVED~~

This item was heard earlier in the meeting.

50. ~~CARLOS ALBERTO REYES, LMT Case # 2018-11948 PCP: WAIVED~~

Pulled at the request of the Department.

51. ~~TRACY ELAINE STEWART, LMT Case # 2017-16976 PCP: WAIVED~~

This item was heard earlier in the meeting.

52. ~~TRACY ELAINE STEWART, LMT Case # 2017-20741 PCP: WAIVED~~

This item was heard earlier in the meeting.

53. ~~STACY LASHELL BENDER, LMT Case # 2017-00296 PCP: NIXON/SPASSOFF~~

Pulled at the request of the Department.

54. ~~FRIEDRICH W. ULMER, LMT Case # 2017-05997 PCP: NIXON/HAYNES~~

Pulled at the request of the Department.

- ~~55. BARBARA TALMADGE WEST, LMT Case # 2017-15117 PCP: WAKEMAN/WHITRIDGE~~
Pulled at the request of the Department.
- ~~56. DIANA D. DOUGLAS, LMT Case # 2015-16380 PCP: HAVARD/BROOKS~~
This item was heard earlier in the meeting.
- ~~57. JISHU YIN, LMT Case # 2015-29267 PCP: HAVARD/WHITRIDGE~~
This item was heard earlier in the meeting.
- ~~58. NICOLAS DENIS, JR., LMT Case # 2018-13844 PCP: HAVARD/HAYNES~~
This item was heard earlier in the meeting.
- ~~59. ANGEL L. TORRES CARBALLO, LMT Case # 2017-18172 PCP: HAVARD/PHILLIPS~~
This item was heard earlier in the meeting.
- ~~60. CHRISTIAN ROJAS-CAMPILONGO, LMT Case # 2015-15460 PCP: HAVARD/PHILLIPS~~
This item was heard earlier in the meeting.
- ~~61. ADRIAN VIDAL, LMT Case # 2017-19519 PCP: NIXON/SPASSOFF~~
This item was heard earlier in the meeting.
- ~~62. YOU ZHANG, LMT Case # 2018-08282 PCP: BROOKS/SPASSOFF~~
This item was heard earlier in the meeting.
- ~~63. ALEXIS PEREZ, LMT Case # 2015-03293 PCP: DRAGO/HAYNES~~
This item was heard earlier in the meeting.
- ~~64. QUINHONG WU, LMT Case # 2015-14108 PCP: DRAGO/HAYNES~~
Pulled at the request of the Department.
- ~~65. GUIYU REN, LMT Case # 2015-14407 PCP: DRAGO/HAYNES~~
Pulled at the request of the Department.
- ~~66. GUIYU JIN, LMT Case # 2016-29713 PCP: DRAGO/HAYNES~~
This item was heard earlier in the meeting.

67. ~~YAN MIN WEN, LMT~~ ~~Case # 2017-01898~~ ~~PCP: DRAGO/HAYNES~~

This item was heard earlier in the meeting.

68. ~~VANILLA SPA~~ ~~Case # 2016-19854~~ ~~PCP: DRAGO/HAYNES~~

This item was heard earlier in the meeting.

1:35 pm - RECESS (LUNCH); RESUME 2:55 PM

D. Determination of Waivers

69. GYI SOON CHOI, LMT Case # 2015-04652 PCP: WALKER/DAVIS

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to revoke the license, to impose a fine in the amount of \$10,000.00 to be paid at a rate of no less than \$2,000.00 per year within 5 years of the entry of the final order. Motion seconded by Ms. Havard which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to waive costs. Motion seconded by Mr. Brooks, which carried unanimously.

70. CHAY EVAN EASTON, LMT Case # 2016-22978 PCP: NIXON/HAYNES

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

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, 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 1 year of the entry of the final order with costs waived. Motion seconded by Ms. Wakeman, which carried unanimously.

71. JENNIFER RIVERA, LMT**Case # 2017-24121****PCP: NIXON/HAYNES**

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

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find 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. Wakeman moved to revoke the license and to impose a fine in the amount of \$1,000.00 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to waive costs. Motion seconded by Ms. Havard, which carried unanimously.

73. YANLING LI, LMT**Case # 2014-00622****PCP: PHILLIPS/HARRISON**

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms.

Action Taken: After discussion, Ms. Wakeman moved to revoke the license and to assess costs in the amount of \$3,212.89 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman amended her previous motion to waive costs. Amended second by Mr. Brooks, which carried unanimously.

~~**74. ANTUAN CAPIRO, LMT**~~~~**Case # 2015-15466**~~~~**PCP: DRAGO/PHILLIPS**~~

This item was heard earlier in the meeting.

~~**75. MARGERY C. CARL, LMT**~~~~**Case # 2015-14851**~~~~**PCP: PHILLIPS/BROOKS**~~

This item was heard earlier in the meeting.

~~**76. LONNIE W. LYNCH, JR., LMT**~~~~**Case # 2015-20154**~~~~**PCP: PHILLIPS/BROOKS**~~

This item was heard earlier in the meeting.

~~**77. TRACI L. DIELMANN, LMT**~~~~**Case # 2014-22040**~~~~**PCP: PHILLIPS/BROOKS**~~

This item was heard earlier in the meeting.

~~**78. BAOHUA YIN, LMT**~~~~**Case # 2016-27439**~~~~**PCP: HAVARD/BROOKS**~~

This item was heard earlier in the meeting.

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find 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, Dr. Phillips moved to reprimand the license, to suspend the license until all previous obligations are met and to impose a fine in the amount of \$500.00 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$293.71 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Pulled at the request of the Department

This item was heard earlier in the meeting.

Pulled at the request of the Department.

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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find 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, Mr. Brooks moved to reprimand the license, to impose a fine in the amount of \$250.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$1,039.73 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

85. MICHELE RUPPERT, LMT**Case # 2015-16475****PCP: WAKEMAN/WHITRIDGE**

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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reprimand the license, to suspend the license until the respondent complies with background screening requirements, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$13.43 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

86. DEVIN MACDONALD, LMT**Case # 2015-05817****PCP: DRAGO/WHITRIDGE**

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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license and to impose a fine in the amount of \$1,000.00 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$448.77 within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

87. MARIE LUIDENY EDMOND, LMT**Case # 2015-14223****PCP: DRAGO/WHITRIDGE**

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

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reprimand the license, to impose a fine in the amount of \$1,000 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$316.37 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

88. ALBERTO B. FRANCO, LMT**Case # 2016-07450****PCP: DRAGO/WHITRIDGE**

Pulled at the request of the Department.

~~89. PU K. TUIE, LMT Case # 2015-18352 PCP: DRAGO/WHITRIDGE~~

This item was heard earlier in the meeting.

~~90. APRIL C. LEIGHTY Case # 2017-08977 PCP: DRAGO/WHITRIDGE~~

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

Action Taken: After discussion, Ms. Havard moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips 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 and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements by August 31, 2019 with aggravating factors on the record. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$524.01 to be paid within 90 days of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

~~91. JULIO CESAR BERMUDEZ-PUIG, LMT Case # 2015-14115 PCP: DRAGO/WHITRIDGE~~

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reprimand the license, to suspend the license until the respondent complies with background screening requirements, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$547.13 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

~~92. JUAN PABLO MENDIZ, LMT Case # 2018-10127 PCP: DRAGO/WAKEMAN~~

This item was heard earlier in the meeting.

~~93. TARA BRANGMAN, LMT Case # 2015-15528 PCP: DRAGO/WAKEMAN~~

This item was heard earlier in the meeting.

~~94. MARISELLY RIVERO, LMT Case # 2015-16026 PCP: DRAGO/WAKEMAN~~

This item was heard earlier in the meeting.

~~95. SHAYNA G. SCHROEDER, LMT Case # 2015-16075 PCP: DRAGO/WAKEMAN~~

This item was heard earlier in the meeting.

~~96. ENELBYS FERNANDEZ, LMT Case # 2015-12036 PCP: DRAGO/WAKEMAN~~

This item was heard earlier in the meeting.

(TABS 97 and 98 were taken concurrently)

97. JOSEPH P. CORREIA, LMT Case # 2018-16537 PCP: BROOKS/SPASSOFF

98. JOSEPH P. CORREIA, LMT Case # 2018-16208 PCP: BROOKS/SPASSOFF

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

Action Taken: After discussion, Ms. Wakeman moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint, and to find 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 impose an administrative fine in the amount of \$5,000.00 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$1,064.89 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

~~99. XIAOHUA LIU, LMT Case # 2017-10160 PCP: BROOKS/SPASSOFF~~

Pulled at the request of the Department.

100. DAN JADE OMENGERBER, LMT Case # 2015-14277 PCP: BROOKS/SPASSOFF

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find 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, Dr. Phillips moved to reprimand the license, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$421.35 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

101. DEVON LOCKWOOD, LMT Case # 2015-16582 PCP: WAKEMAN/BURKE-WAMMACK

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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$34.80 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

102. PHILIP MARTIN PUNDT, LMT Case # 2015-14904 PCP: WAKEMAN/BURKE-WAMMACK

Pulled at the request of the Department.

~~**103. CAROL SHENKEL, LMT Case # 2015-12679 PCP: DRAGO/WAKEMAN**~~

~~*This item was heard earlier in the meeting.*~~

104. GE WANG, LMT Case # 2015-14800 PCP: WAKEMAN/WHITRIDGE

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find 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, Mr. Brooks moved to reprimand the license, to suspend the license until the respondent complies with background screening requirements, to impose a fine in the amount of \$1,000.00 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 above and beyond renewal requirements by August 31, 2019. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to assess costs in the amount of \$8.06 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

105. MANDI S. LEWIS, LMT**Case # 2015-04977****PCP: WAKEMAN/WHITRIDGE**

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose a fine in the amount of \$250.00 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 above and beyond renewal requirements by August 31, 2019, Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$210.81 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

106. SAMSUNG INC.**Case # 2017-18393****PCP: WAKEMAN/WHITRIDGE**

Pulled at the request of the Department.

107. JUNLING ZHANG, LMT**Case # 2016-19670****PCP: WAKEMAN/WHITRIDGE**

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, 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 above and beyond renewal requirements by August 31, 2019 with aggravating factors on the record. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Drago moved to assess costs in the amount of \$270.91 to be paid within 90 days of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

108. XIUQIN YANG, LMT**Case # 2017-02931****PCP: WAKEMAN/WHITRIDGE**

This item was heard earlier in the meeting.

109. LINA HUO, LMT**Case # 2017-10706****PCP: DRAGO/HAYNES**

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

Action Taken: After discussion, Dr. Phillips moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, to accept the findings of fact as set forth in the administrative complaint, to accept the conclusions of law as set forth in the administrative complaint, and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to revoke the license and to impose a fine in the amount of \$2,750.00 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to waive costs. Motion seconded by Mr. Brooks, which carried unanimously.

~~111. HEALTHY TOUCH MASSAGE BRANDO — Case # 2016-20365 — PCP: DRAGO/HAYNES~~

This item was heard earlier in the meeting.

~~112. DYLAN PHILLIP CULLISON, LMT — Case # 2015-15420 — PCP: HAVARD/DRAGO~~

This item was heard earlier in the meeting.

~~113. THOMAS ROCCO WITHINGTON, LMT — Case # 2015-15420 — PCP: HAVARD/DRAGO~~

This item was heard earlier in the meeting.

~~114. LAURA ANN ELERBE, LMT — Case # 2016-28571 — PCP: HAVARD/DRAGO~~

This item was heard earlier in the meeting.

~~115. JOSE L. PEREZ, LMT — Case # 2015-13232 — PCP: HAVARD/BROOKS~~

This item was heard earlier in the meeting.

~~116. XIAOJING CAO, LMT — Case # 2016-21689 — PCP: HAVARD/BROOKS~~

This item was heard earlier in the meeting.

~~117. MARGUERITE M. MIZE, LMT — Case # 2015-16314 — PCP: HAVARD/DRAGO~~

This item was heard earlier in the meeting.

~~118. HONG MOONEY, LMT — Case # 2015-13155 — PCP: BROOKS/WAKEMAN~~

This item was heard earlier in the meeting.

119. GENGXIU ZHANG, LMT**Case # 2016-23397****PCP: DRAGO/HAYNES**

Respondent was not present. 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 for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to revoke the license and to impose an administrative fine in the amount of \$5,000.00 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to waive costs. Motion seconded by Ms. Havard, which carried unanimously.

120. SANDRO B. MOLIERE, LMT**Case # 2018-15212****PCP: PHILLIPS/HAYNES**

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

Action Taken: After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and waived their right to an informal hearing, and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to revoke the license and to impose an administrative fine in the amount of \$1,000.00 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to waive costs. Motion seconded by Ms. Havard, which carried unanimously.

E. Motion for Costs**121. JORGE L. PRUNEDA, LMT****Case # 2016-28331****PCP: HAVARD/PHILLIPS**

This item was heard earlier in the meeting.

F. Recommended Orders**122. FENGYAN LIU, LMT****Case # 2017-12226 / DOAH # 18-3638PL PCP: NIXON/HAYNES**

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

Action Taken: After discussion, Mr. Brooks moved to adopt the findings of fact and conclusions of law set forth in the recommended order as the findings of fact and conclusions of law.

Action Taken: After discussion, Dr. Phillips moved to adopt the recommended penalty as set forth in the recommended order, which included revocation of the license, an administrative fine in the amount of \$2,500.00, and costs in the amount of \$20,864.04, payable annually at a rate of \$4,672.81 per year. Motion seconded by Mr. Brooks, which carried unanimously.

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

Respondent's Exceptions to Findings of Fact:

Action Taken: After discussion, Dr. Phillips moved to deny exception 1 (paragraph 6). Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to deny exception 2 (paragraph 4). Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to deny exception 3 (paragraph 9). Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to deny exception 4 (paragraph 9). Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to deny exception 5 (paragraph 12). Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to deny exception 6 (paragraph 13). Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to deny exception 7 (paragraph 14). Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to deny exception 8 (paragraph 15). Motion seconded by Ms. Wakeman, which carried unanimously.

Respondent's Exceptions to Conclusions of Law:

Action Taken: After discussion, Dr. Phillips moved to deny exception 1 (paragraph 23). Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to deny exception 2 (paragraph 24). Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to deny exception 3 (paragraph 26). Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to deny exception 4 (paragraph 27). Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to deny exception 5 (paragraph 34). Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to deny exception 6. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to adopt the findings of fact in the recommended order as the Board's findings of fact. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to adopt the recommended penalty in the recommended order as the penalty, to include revocation and an administrative fine in the amount of \$2,500.00 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to bifurcate the motion for costs and for the Department to retain jurisdiction. Motion seconded by Ms. Wakeman, which carried unanimously.

II. REPORTS

A. Prosecutor's Report

Action Taken: After discussion, Ms. Drago moved to direct the Department to continue litigating year and older cases. Motion seconded by Mr. Brooks, which carried unanimously.

B. Review and Approval of Minutes

September 2018 Conference Call Meeting Minutes

November 2018 Conference Call Meeting Minutes

December 2018 Conference Call Meeting Minutes

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

C. Board Counsel's Report – Diane Guilemette, Esq.

September 2018 Rules Report

October 2018 Rules Report

November 2018 Rules Report

December 2018 Rules Report

January 2018 Rules Report

2019 Annual Regulatory Plan

Rules discussion (64B7-27.100, F.A.C.)

Action Taken: After discussion, Ms. Havard moved to answer in the affirmative to the SERC question related to regulatory cost in the aggregate. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Havard moved to answer in the negative to the SERC question related to minor violations. Motion seconded by Mr. Brooks, which carried unanimously.

D. Legislative Liaison Report

E. Vice Chair Report

F. Public Relations Liaison Report

G. Rules Liaison Report

H. Budget Liaison Report

I. Executive Director's Report

Delegation of Authority (2019)

Action Taken: After discussion, Ms. Havard moved to approve the delegation of authority as presented. Motion seconded by Mr. Brooks, which carried unanimously.

Ratification of Licensure (July 3, 2018 – January 25, 2019)

Action Taken: After discussion, Mr. Brooks moved to ratify the licenses presented. Motions seconded by Ms. Havard, which carried unanimously.

J. School Liaison Report

Dr. Phillips reported that one school approval was issued since the last general business meeting of the Board.

K. Continuing Education Liaison Report

L. Unlicensed Activity Report

M. Healthiest Weight Liaison Report

III. ADMINISTRATIVE PROCEEDINGS

A. Applicants with Foreign Education

126. SMITH-TUOMINEN, EEVA MARJA File # 95711

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

C. Applicants with History

127. BLOMBERG, SHAWN LLOYD File # 97837

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

- Pay an administrative fine in the amount of \$500.00 within 6 months of the entry of the final order.
- Complete a 10-Hour Florida laws and rules course above and beyond renewal requirements prior to August 31, 2019.

Motion seconded by Dr. Phillips, which carried unanimously.

~~**128. DYAL, CINDY** File # 98211~~

This item was heard earlier in the meeting.

129. GRANT, TINA File # 98055

Action Taken: After discussion, Dr. Phillips moved to deny the application, as the education history presented contained significant inconsistencies. Motion seconded by Mr. Brooks, which carried unanimously.

~~**130. HYLTON, TRACEY NICOLE** File # 97849~~

This item was heard earlier in the meeting.

131. LI, JUDY File # 98062

Action Taken: After discussion, Mr. Brooks moved to require the appearance of the applicant. Motion seconded by Ms. Havard, which carried unanimously.

~~**133. ROBERGE, JESSE** File # 98190~~

Withdrawn by applicant prior to meeting.

~~**134. SZYMANSKI, DALE MICHAEL** File # 98223~~

This item was heard earlier in the meeting.

135. VASQUEZ, MELISSA ANN **File # 97823**

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

- Pay an administrative fine in the amount of \$500.00 within 6 months of the entry of the final order.
- Complete a 10-Hour Florida laws and rules course above and beyond renewal requirements prior to August 31, 2019.

Motion seconded by Dr. Phillips, which carried unanimously.

D. Petitions for Variance or Waiver

136. DISALVATORE, STEPHANIE **File # N/A**

Action Taken: After discussion, Dr. Phillips moved to deny the petition, as the Board cannot waive statute. Motion seconded by Mr. Brooks, which carried unanimously.

137. JOHNSTON, RAYNA ELIZABETH **File # 97385**

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

~~**138. LIPORI, DAWN** **File # N/A**~~

This item was heard earlier in the meeting.

139. SAMETZ, MARK **File # 84658**

Action Taken: After discussion, Mr. Brooks moved to grant the petition for variance or waiver and allow the petitioner to complete 12-hour in-person training at Chet Won Po Continuing Education for the purposes of meeting renewal requirements. Motion seconded by Dr. Phillips, which carried unanimously.

140. THORNE, AUDREY JANE **File # 94223**

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

141. WALSH, APRIL **File # 98471**

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

142. WOODSON, TYLER **File # 345**

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

143. VARGAS, HECTOR **File # N/A**

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

IV. RULES DISCUSSION

~~64B7-27.100, Florida Administrative Code (Fees)~~

This item was heard earlier in the meeting.

V. GENERAL BUSINESS DISCUSSION

A. OLD BUSINESS

B. NEW BUSINESS

Proposed In-Person Meeting Dates and Cities (2020)

Laws and Rules and general procedure to be considered in a future meeting for Renewals, Interpreters, Skype Calls, # of citations, CEs presented at longer than 6 hours.

VI. ADDENDUM MATERIALS

A-01. Liu, Jian Ping – Request for Informal Hearing **File # 95234**

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

Action Taken: After discussion, Mr. Brooks moved to deny the application due to prior disciplinary history. Motion seconded by Ms. Wakeman, which carried unanimously.

~~**A-02. Aguirre, Melissa – Required Appearance** **File # 97550**~~

This item was heard earlier in the meeting.

VII. ADJOURN

Meeting was adjourned at 6:49 pm