



General Business Meeting

Conference Call

April 3, 2020

9:00 am

Meet Me #: 1 (888) 585-9008

Participation Code: 508-909-666

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
Lydia Nixon, LMT
Victoria Drago, LMT
Jennifer Wakeman, LMT

BOARD COUNSEL

Diane Guillemette, Esq., *Assistant Attorney General*

STAFF PRESENT

Kama Monroe, *Executive Director*
Gerry Nielsen, *Program Operations Administrator*

DEPARTMENT PROSECUTING ATTORNEYS

Chad Dunn, Esq., *Assistant General Counsel*
Mary "Ali" Wessling, Esq., *Assistant General Counsel*
Christina Shideler, Esq., *Assistant General Counsel*
Zachary Bell, Esq., *Assistant General Counsel*

COURT REPORTER

For the Record Reporting
(850) 222-5491

Please note: The minutes reflect the actual order agenda items were discussed and may differ from the agenda outline.

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

I. DISCIPLINARY PROCEEDINGS

Respondents in Attendance

IN-02. CANDICE R. DRAKE, LMT

Case # 2019-03881 PCP: PHILLIPS/WHITRIDGE

Ms. Drake was present without counsel. Ms. Shideler represented the Department and presented the case to the Board.

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

VR-21. JAMES A VONDERHEIDE, LMT

Case # 2019-35176 PCP: N/A

Mr. Vonderheide was present without counsel.

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

VR-22. RANDOLPH DORLE WOOLERY, LMT

Case # 2017-18800 PCP: N/A

Mr. Woolery was not present. Mr. Lance Leider, Esq. represented the respondent. Mr. Dunn represented the Department and presented the case to the Board.

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

VR-23. PEIXIA ZHANG, LMT

Case # 2019-47538 PCP: N/A

Ms. Zhang was present. Mr. Dunn represented the Department and presented the case to the Board.

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

SA-18. NORMA I. CABEZAS, LMT

Case # 2016-00397 PCP: NIXON/PHILLIPS

Ms. Cabezas was present. Ms. Yeneisy Cid was present to translate for Ms. Cabezas. Ms. Shideler represented the Department and presented the case to the Board.

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

SA-20. XIXIU SUN, LMT

Case # 2016-25500 PCP: BROOKS/WHITRIDGE

Ms. Sun was present with counsel, Mr. Arthur Spiegel, Esq. and co-counsel Albert M. Quirantes, Esq. Mr. Dunn represented the Department and presented the case to the Board.

Action Taken: After discussion, accept the proposed settlement agreement, with costs at \$2000.00 as the stipulated cap. Motion seconded by Ms. Wakeman, which carried unanimously.

IN-07. NA LIN, LMT**Case # 2015-20227 PCP: BROOKS/WAKEMAN**

Respondent was present with counsel, Mr. Bryan Savy, Esq. and translator Ms. Hibbelm to translate from Mandarin to English. Ms. Wessling represented the Department and presented the case to the Board.

Action Taken: After discussion, Dr. Phillips moved that there is no dispute of material facts. Motion seconded by Ms. Drago, which carried unanimously.

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. 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 for revocation of the license, with mitigating factors on the record. Motion seconded by Ms. Drago, which carried unanimously.

DW-41. TERRI KUBASSEK, LMT**Case # 2017-06180****PCP: NIXON/SPASSOFF**

Respondent was present with counsel, Mr. Lance Leider, Esq. Ms. Wessling 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 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, Ms. Havard moved to reprimand the license. Motion seconded by Ms. Drago, which carried 5/1 with Dr. Phillips in opposition.

Action Taken: After discussion, Dr. Phillips moved to impose an administrative fine in the amount of \$2,000.00 and to require a 10-hour Florida Laws and Rules course to be completed within 90 days of the entry of the final order, with aggravating factors on the record (deterrent effect, danger to the public, attempt to correct the violation). Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$1420.12 within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Respondent was present without counsel. Mr. Dunn 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, 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to impose an administrative fine in the amount of \$750.00 and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements within 90 days of the entry of the final order, and to require contact within PRN within 30 days of the entry of the final order, evaluation by PRN within 60 days of the final order, and to follow any recommended contract with PRN within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried 3/1 with Ms. Nixon in opposition.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$118.46 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

~~Quorum~~

Recess 12:15 / Reconvene 1:15

Applicant was not present. Mr. Dwight Slater, Esq. was present, and represented the applicant.

Action Taken: After discussion, Mr. Brooks moved to uphold the prior notice of intent to deny based on the details stated in the prior notice. Motion seconded by Ms. Wakeman, which carried unanimously.

Applicant was present without counsel.

Action Taken: After discussion, Mr. Brooks moved to approve the license with the conditions of a \$500.00 administrative fine to be paid within 1 year of the entry of the final and to require a 10-hour Florida Laws and Rules course within 90 days of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Applicant was present without counsel.

Action Taken: After discussion, Dr. Phillips moved to approve the license with the conditions of a \$1,000.00 fine to be paid within 18 months of the entry of the final order and to require a 10-hour Florida Laws and Rules course within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

AD-63. COLEMAN, TRIANA

File # 101160

Applicant was present without counsel.

Applicant verbally withdrew her application.

AD-64. DICKENSON, RICKEY ANTHONY-PORTER

File # 101480

Applicant was present without counsel.

Action Taken: After discussion, Dr. Phillips moved to issue the license with the conditions of a \$2,000.00 fine to be paid within 18 months of the entry of the final order and to require a 10-hour Florida Laws and Rules course within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

AD-66. MOLINA, ANGEL

File # 100459

Applicant was present without counsel.

Applicant verbally withdrew his application.

AD-68. SIARAPPA, CHRISTINA

File # 101434

Applicant was present without counsel.

Action Taken: After discussion, Mr. Brooks moved to issue the license with the conditions of a \$500.00 administrative fine 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 taken within 90 days of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

AD-69. SENSENIG, CHRISTINE

File # 101644

Applicant was present without counsel.

Action Taken: After discussion, Dr. Phillips moved to issue the license with the conditions of a \$500.00 administrative fine 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 taken within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

AD-70. SHATEK, JOY

File # 101150

Applicant was present without counsel.

Action Taken: After discussion, Mr. Brooks moved to issue the license with the conditions of a \$500.00 administrative fine 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 taken within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

AD-72. TAYLOR, YOLANDA

File # 101407

Applicant was present without counsel.

Action Taken: After discussion, Dr. Phillips moved to issue the license with the conditions of a \$1,000.00 administrative fine to be paid within 18 months of the entry of the final order and to require a 10-hour Florida Laws and Rules course to be taken within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

AD-73. WEAVER, JOHN

File # 101565

Applicant was present without counsel.

Action Taken: After discussion, Mr. Brooks moved to issue the license with the conditions of a \$500.00 administrative fine 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 taken within 90 days of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

AD-75. GUREVICH, REBECCA ANNE

File # 100818

Applicant was present without counsel.

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

Recess 2:55 / Reconvene 3:02

A. Informal Hearings

IN-13. QIULING LI, LMT

Case # 2017-03085 PCP: BROOKS/SPASSOFF

Applicant was not present. Mr. Bell 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, 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to revoke the license and to impose an administrative fine in the amount of \$2,500.00 to be paid within 90 days of the entry of the final order, with aggravating factors on the record (danger to the public, other – house of prostitution and gravity of offense). Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to assess costs in the amount of \$484.68 to be paid within 90 days of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

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

Action Taken: After discussion, Mr. Brooks moved that material facts are not in dispute, 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, Mr. Brooks moved to \$2000/3m, 6m suspension of license (actual knowledge, length of time licensee has practiced, danger to the public, other – potential fraud). Motion seconded by Dr. Phillips, which carried unanimously.

#349.29/3m CB SP U

VR-25 and 26 were taken together.

VR-25. LEIGH-ANNE TODD ASHLEY, LMT

Case # 2017-01799 PCP: WAKEMAN/SPASSOFF

VR-26. SUN U YI

Case # 2017-22664 PCP: WAKEMAN/WHITRIDGE

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

DW-29. PHILLIP MARTIN PUNDT, LMT Case # 2015-14904 PCP: WAKEMAN/BURKE-WAMMACK

Pulled at the request of the Department.

IN-14. DEANNA L WATERS, LMT

Case # 2019-02446 PCP: BROOKS/DRAGO

Respondent was present without counsel. Mr. Dunn 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, 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, impose an administrative fine in the amount of \$500.00 to be paid within 18 months and to assess costs in the amount of \$696.08 within with aggravating factors on the record (deterrent effect, length of time licensed, danger to the public). Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

~~IN-03. YANCHUN LAN, LMT Case # 2015-03320 PCP: BROOKS/WHITRIDGE~~

~~This item has been continued.~~

~~IN-04. GUANGPING SUN, LMT Case # 2015-11047 PCP: BROOKS/PHILLIPS~~

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

~~**Action Taken:** After discussion, Ms. Drago moved that there are no material facts in dispute. Motion seconded by Ms. Wakeman, which carried unanimously.~~

~~**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 Ms. Drago, 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, Ms. Wakeman moved to revoke the license and to impose an administrative fine in the amount of \$5,000.00 to be paid within 90 days (danger to the public, other – running a house of prostitution, deterrent effect). Motion seconded by Ms. Drago, which carried unanimously.~~

~~IN-05. BARBARA L. MARTIN, LMT Case # 2017-16555 PCP: DRAGO/SPASSOFF~~

~~Pulled at the request of the Department.~~

~~IN-06. GUIQIN HU, LMT Case # 2018-24149 PCP: BROOKS/WHITRIDGE~~

~~This item has been continued.~~

~~IN-07. NA LIN, LMT Case # 2015-20227 PCP: BROOKS/WAKEMAN~~

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

IN-08. MARISOL CARABALLO, LMT

Case # 2018-18763 PCP: BROOKS/DRAGO

Respondent was not present. Mr. Bell 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, 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reprimand the license, to impose an administrative 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 within 90 days of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips and to assess costs in the amount of \$335.69 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

IN-09. HOLLY MARIE WOODYARD, LMT

Case # 2019-11530 PCP: BROOKS/DRAGO

Respondent was not present. Mr. Bell 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. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to accept the conclusions of law as set forth in the administrative complaint and 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 an administrative fine in the amount of \$350.00 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 within 90 days of the entry of the final order with aggravating factors on the record (actual knowledge). Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$250.55 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

IN-10. JOSE MIGUEL POVENTUD, LMT

Case # 2018-23543 PCP: BROOKS/DRAGO

This item was heard earlier in the meeting.

IN-11. QIANG WU, LMT**Case # 2019-02286 PCP: BROOKS/DRAGO**

Respondent was not present. Mr. Dunn 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, 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose an administrative fine in the amount of \$2,000.00 to be paid within 1 year of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements within 90 days of the entry of the final order with aggravating factors on the record (deterrent effect). Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$336.44 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

IN-12. QIANG RELAXATION, INC**Case # 2019-02287 PCP: BROOKS/DRAGO**

Respondent was not present. Mr. Dunn 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, 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reprimand the license and to impose 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. Havard, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$341.52 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

~~IN-15. KAITLYN M. SULLIVAN, LMT~~**~~Case # 2019-04465 PCP: BROOKS/DRAGO~~**

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

~~IN-16. HAIYAN ZHANG, LMT~~**~~Case # 2015-18548 PCP: WHITRIDGE/WAKEMAN~~**

~~This item has been continued.~~

IN-17. SHUQING QU, LMT

Case # 2015-14319 PCP: BROOKS/WAKEMAN

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

Action Taken: After discussion, Dr. Phillips moved that there is no dispute of material fact. Motion seconded by Ms. Drago, which carried unanimously.

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. 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 @REP/1000/LR/90 (det) costs \$XX.XXX/90d. Motion seconded by Ms. Drago, which carried unanimously.

B. Settlement Agreements

SA-18. NORMA I. CABEZAS, LMT

Case # 2016-00397 PCP: NIXON/PHILLIPS

This item was heard earlier in the meeting.

SA-19. CHEN'S MASSAGE CLINIC

Case # 2019-08284 PCP: BROOKS/DRAGO

Respondent was not present.

Action Taken: After discussion, Ms. Wakeman moved to accept the proposed settlement agreement. Motion seconded by Ms. Nixon, which carried 3/1 with Dr. Phillips in opposition.

COSTS: \$570.22

~~**SA-20. XIXIU SUN, LMT**~~

~~**Case # 2016-25500 PCP: BROOKS/WHITRIDGE**~~

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

C. Voluntary Relinquishments

~~**VR-21. JAMES A VONDERHEIDE, LMT**~~

~~**Case # 2019-35176 PCP: N/A**~~

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

~~**VR-22. RANDOLPH DORLE WOOLERY, LMT**~~

~~**Case # 2017-18800 PCP: N/A**~~

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

~~**VR-23. PEIXIA ZHANG, LMT**~~

~~**Case # 2019-47538 PCP: N/A**~~

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

Respondent was not present.

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

D. Determination of Waiver

DW-27. LIQING CAI, LMT Case # 2014-18840 PCP: WALKER/DAVIS

This item has been continued.

DW-28. TAYMI GONZALEZ, LMT Case # 2016-23112 PCP: DRAGO/HAVARD

This item has been continued.

DW-30. JORGE M PEREZ-REYES, LMT Case # 2015-13819 PCP: WAKEMAN/DRAGO

Respondent was not present. Mr. Dunn 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, 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, Mr. Brooks REP/susp until compliant/\$1,000.00/10 FL LR \$121.00 to be paid within 90 of the entry of the final order with aggravating factors on the record (deterrent effect). Motion seconded by Dr. Phillips, which carried unanimously.

DW-31. ROBERT C. LALANDE, LMT Case # 2015-13105 PCP: WAKEMAN/DRAGO

Respondent was not present. Mr. Bell 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. Nixon, 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 reprimand the license, to suspend the license until compliant with background screening requirements, to impose an administrative fine in the amount of \$1,000 to be paid and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements within 1 year of the entry of the final order with aggravating factors on the record (deterrent effect). Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$349.37 to be paid within 1y of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

~~DW-32. JORGE A GONZALEZ, LMT Case # 2017-12611 PCP: WAKEMAN/WHITRIDGE~~

~~This item has been continued.~~

~~DW-33. KRISTIAN DOROUGH, LMT Case # 2017-21006 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, 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, Mr. Brooks to suspend the license until compliant with the previously entered order and to impose an administrative fine in the amount of \$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, Mr. Brooks moved to assess costs in the amount of \$251.83 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.~~

~~DW-34. DEBORAH LYNN TUCKER, LMT Case # 2015-14075 PCP: DRAGO/HAYNES~~

~~Respondent was not present. Ms. Wessling 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, 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. Nixon, which carried unanimously.~~

~~**Action Taken:** After discussion, Mr. Brooks moved to reprimand the license, to suspend the license until compliant, to impose an administrative fine in the amount of \$1,000.00 to be paid and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.~~

~~**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$339.86 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Nixon, which carried unanimously.~~

~~DW-35. AARON JON HUTCHINSON, LMT Case # 2019-03042 PCP: BROOKS/DRAGO~~

~~This item has been continued.~~

~~DW-36. MARIELA N. QUINTANA, LMT Case # 2018-15922 PCP: DRAGO/SPASSOFF~~

~~This item has been continued.~~

Respondent was not present. Mr. Bell 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. Havard, 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, Mr. Brooks moved to reprimand the license, to impose an administrative fine in the amount of \$250.00 to be paid and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements within 1 year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$557.21 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

Respondent was not present. Mr. Bell 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 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved to reprimand the license and to suspend the license until compliant. Motion seconded by Mr. Brooks, which carried unanimously.

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

Respondent was not present. Mr. Bell 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 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, Mr. Brooks moved to reprimand the license, to impose an administrative 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 within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$316.32 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

DW-40. CRYSTALROSE CHRISTIANSEN, LMT Case # 2018-15677 PCP: NIXON/SPASSOFF

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, 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, Ms. Drago moved to reprimand the license, to impose an administrative fine in the amount of \$250.00 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 within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$776.56 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

DW-41. TERRI KUBASSEK, LMT

This item was heard earlier in the meeting.

Respondent was not present. Ms. Wessling 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 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 an administrative 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 within 90 days of the entry of the final order with aggravating factors on the record (deterrent effect). Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$592.95 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Havard, which carried unanimously.

~~DW-43. ALFREDO BARRERAS, LMT Case # 2018-22307 PCP: PHILLIPS/DRAGO~~

~~This item has been continued.~~

~~DW-44. YANLING LI, LMT Case # 2014-00622 PCP: PHILLIPS/HARRISON~~

~~This item has been continued.~~

DW-45. ANTUAN CAPIRO, LMT Case # 2015-15466 PCP: DRAGO/PHILLIPS

Respondent was not present. Ms. Wessling 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 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 reprimand the license, to suspend the license until compliant, 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 within 90 days 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 \$305.65 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

~~DW-46. ANTHONY N. GREEN, LMT Case # 2019-10037 PCP: PHILLIPS/WHITRIDGE~~

~~This item has been continued.~~

~~DW-47. MIN ZHOU, LMT Case # 2017-06439 PCP: BROOKS/WHITRIDGE~~

~~This item has been continued.~~

~~DW-48. PEACHES J. WARRICK, LMT Case # 2018-11554 PCP: BROOKS/WHITRIDGE~~

~~This item has been continued.~~

DW-49. BRITTANY KRISTA HOLT, LMT Case # 2017-10980 PCP: BROOKS/WHITRIDGE

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, 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 Ms. Wakeman, 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 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 within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$183.25 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

~~DW-50. YING LIN, LMT Case # 2018-25173 PCP: HAVARD/WHITRIDGE~~

~~This item has been continued.~~

~~DW-51. MARK CRAIG RIEZENMAN, LMT Case # 2018-25173 PCP: HAVARD/WHITRIDGE~~

~~This item has been continued.~~

DW-52. MICHAEL JAMES THOMAS, LMT Case # 2018-08471 PCP: BROOKS/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, 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose an administrative fine in the amount of \$500.00 to be paid within 1 year and to require a 10-hour Florida Laws and Rules

course to be completed above and beyond renewal requirements within 90 days 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 \$480.24 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

DW-53. LUCKY SPA ASIAN MASSAGE, INC. Case # 2017-22249 PCP: BROOKS/WHITRIDGE

Respondent was not present. Mr. Dunn 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, 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 revoke the license and impose a \$2,000 fine to be paid within 60 days of the entry of the final order with aggravating factors on the record (deterrent effect, effect on livelihood, other – inconsistency in responses provided to investigator).

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$2,172.07 to be paid within 60 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

DW-55. MARY LOU DINICOLAS, LMT Case # 2015-16150 PCP: BROOKS/WHITRIDGE

Respondent was not present. Ms. Wessling 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 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to suspend the license until compliant with background screening requirements. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$18.13 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

~~**DW-54. DIANA L. HAYN, LMT Case # 2013-10825 PCP: HAVARD/WHITRIDGE**~~

~~This item has been continued.~~

~~**DW-56. DAVID MICHAEL WOOD, LMT Case # 2014-21295 PCP: HAVARD/WHITRIDGE**~~

~~This item has been continued.~~

Respondent was not present. Mr. Bell 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 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 Dr. Phillips, which carried unanimously.

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

E. Recommended Orders

~~RO-58. MICHAEL CORONEOS, LMT Case # 2017-13211~~

~~This item has been continued.~~

~~RO-59. MINGLI LI, LMT Case # 2016-10932~~

~~This item has been continued.~~

Draft

III. RULES DISCUSSION

A. 64B7-30.002, F.A.C.

Action Taken: After discussion, Ms. Wakeman moved to approve the draft response to JAPC. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved that the SERC 1. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved that the proposed rule change does not constitute a minor violation. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved that the rule should not sunset. Motion seconded by Mr. Brooks, which carried unanimously.

B. 64B7-28.002, .0043, .009, .0095, .0096, .010 F.A.C.

Action Taken: After discussion, Ms. Wakeman moved to approve the draft response to JAPC. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved that the SERC 1. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved that the proposed rule change does not constitute a minor violation. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. Wakeman moved that the rule should not sunset. Motion seconded by Mr. Brooks, which carried unanimously.

IV. GENERAL BUSINESS DISCUSSION

Action Taken: After discussion, Mr. Brooks moved to approve the continued prosecution of year and older cases. Motion seconded by Ms. Wakeman, which carried unanimously.

II. ADMINISTRATIVE PROCEEDINGS

A. Applicants with History

AD-60. ACCIME, SHERLEY

File # 99253

Applicant was not present.

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

AD-61. BARRIO, CHRISTINE

File # 101013

This item was heard earlier in the meeting.

AD-62. CERVANTES, ALBERTO

File # 101652

This item was heard earlier in the meeting.

~~AD-63. COLEMAN, TRIANA~~ File # 101160

This item was heard earlier in the meeting.

~~AD-64. DICKENSON, RICKEY ANTHONY-PORTER~~ File # 101480

This item was heard earlier in the meeting.

AD-65. JIAN, JIANXIN File # 100980

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to deny the application based on prior disciplinary action. Motion seconded by Mr. Brooks, which carried 5/1 with Ms. Wakeman in opposition.

~~AD-66. MOLINA, ANGEL~~ File # 100459

This item was heard earlier in the meeting.

AD-67. ROJAS, MAGALY File # 100795

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to issue the license with the conditions of a \$500.00 administrative fine to be paid within 1 year of the entry of the final order and a 10-hour Florida Laws and Rules course within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

~~AD-68. SIARAPPA, CHRISTINA~~ File # 101434

This item was heard earlier in the meeting.

~~AD-69. SENSENIG, CHRISTINE~~ File # 101644

This item was heard earlier in the meeting.

~~AD-70. SHATEK, JOY~~ File # 101150

This item was heard earlier in the meeting.

AD-71. SIEMS, DAVID File # 100972

Applicant was not present.

Action Taken: After discussion,

~~AD-72. TAYLOR, YOLANDA~~ File # 101407

This item was heard earlier in the meeting.

~~AD-73. WEAVER, JOHN~~ ~~File # 101565~~

This item was heard earlier in the meeting.

AD-74. ZHANG, ZUOJIN **File # 101199**

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to deny the application due to crime related to the practice. Motion seconded by Mr. Brooks, which carried unanimously.

B. Required Appearance

~~AD-75. GUREVICH, REBECCA ANNE~~ ~~File # 100818~~

This item was heard earlier in the meeting.

C. Petition for Variance or Waiver

AD-76. BROWN, EMMA JEAN **File # 99493**

Action Taken: After discussion, Ms. Wakeman moved that the petition is insufficient as a petition for variance or waiver. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to deny the reconsideration, as... XXX. Motion seconded by Mr. Brooks, which carried unanimously.

D. Request for Reconsideration (Exemption)

AD-77. NUNEZ, MIGUEL **MA18082**

Licensee was not present.

Action Taken: After discussion, Ms. Wakeman moved that the exemption request be granted. Motion seconded by Dr. Phillips, which carried unanimously.

IV. GENERAL BUSINESS DISCUSSION

This item was heard earlier in the meeting.

V. ADJOURN 7:10