



## General Business Meeting

Conference Call  
April 26 – 27, 2021  
9:00 am

888-585-9008  
Participant Code: 508-909-666

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# 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*  
Victoria Drago, LMT  
Jennifer Wakeman, LMT  
Sandra Atkinson, LMT  
Dotti Groover-Skipper

## BOARD COUNSEL

Diane Guillemette, Esq., *Assistant Attorney General*

## STAFF PRESENT

Kama Monroe, *Executive Director*  
Gerry Nielsen, *Program Operations Administrator*  
Austin Conlon, *Regulatory Specialist III*

## DEPARTMENT PROSECUTING ATTORNEYS

Andrew Pietrylo, Esq.,  
Ann Prescott, Esq.  
Dannie Hart, Esq.  
John Bischof, Esq.  
Julisa Renaud, Esq.

## COURT REPORTER

For the Record  
(850) 222-5491  
Ray Convery

**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**

**A. Recommended Orders**

~~RO-01. Michael Coroneos L.M.T. Case # 2017-13211 PCP: Phillips / Havard~~

~~Tabled; item was heard later in the meeting~~

**RO-02. Michael Maloy, L.M.T. Case # 2020-31415 PCP: Phillips / Whitridge**

Respondent was present with Counsel, James Poindexter, Esq. Mr. Sandy represented the Department and presented the case to the Board.

**Action Taken:** After discussion, Mr. Brooks moved to accept the findings of fact in the recommended order. Motion seconded by Ms. Drago, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to reject the department's first exception, as the board does not have jurisdiction to interpret the Administrative Procedures Act (120, Florida Statutes) with regards to evidentiary standard. Motion seconded by Mr. Brooks, which carried unanimously.

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

**Action Taken:** After discussion, Mr. Brooks moved to adopt the conclusions of law in the recommended order without interpretation of misconduct (480.046(1)(p), F.S. and or 64B7-26.010, F.A.C.), given the disputed evidentiary standard set forth in exceptions. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to adopt the recommended penalty as set forth in the recommended order, given the conclusions of law set forth by the administrative law judge and the application of the clear and convincing evidentiary standard applied therein.

~~RO-03. Maria Nadal Cabral, L.M.T. Case # 2015-12501 PCP: Drago / Wakeman~~

~~Item was heard later in the meeting.~~

**B. Informal Hearings**

~~IN-05. Guihong Chen Daisernia, L.M.T. Case # 2019-08285 PCP: Phillips / Burke-Wammack~~

~~Tabled; item was heard later in the meeting~~

~~IN-06. Happy Feet Miami Spa Case # 2020-01576 PCP: Phillips / Burke-Wammack~~

~~Tabled; item was heard later in the meeting~~

**IN-04. New Massage Orient, L.L.C.**

**Case # 2019-39701 PCP: Phillips / Whitridge**

Respondent was not present. Ms. Hart 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 Ms. Drago, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to revoke the license with aggravating factors on the record (actual knowledge, deterrent effect, danger to the public, refusal to stop or correct violation, damage to the profession). Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$573.72 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

~~**IN-07. Armando Augustin Rubio Perez, L.M.T. Case # 2019-51186 PCP: Phillips / Burke-Wammack**~~

**Pulled at the request of the Department.**

~~**IN-08. Ping Li, L.M.T. Case # 2014-17745 PCP: Brooks / Phillips**~~

**Tabled; item was heard later in the meeting**

~~**IN-09. Dwayne Carlton McDonald, L.M.T. Case # 2018-16265 PCP: Drago / Spasoff**~~

~~**Wakeman / Whitridge**~~

**Tabled; item was heard later in the meeting**

**C. Determination of Waivers**

**DW-10. Jin Yu Johnson, L.M.T.**

**Case # 2015-01027 PCP: Phillips / Whitridge**

Respondent was not present. Mr. Bischof 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 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 \$2,500.00 to be paid within 6 months 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 \$ 631.66 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Pulled at the request of the Department.

Respondent was not present. Ms. Hart 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, 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. Wakeman moved to revoke the license. Motion seconded by Ms. Atkinson, which carried 3/1 with Ms. Drago in opposition.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$940.01 to be paid within 6 months of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

RECESS 11:00 am / RECONVENE: 11:12 am

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

**Action Taken:** After discussion, Mr. Brooks moved to adopt the findings of fact in the recommended order as the findings of fact in this case. Motion seconded by Dr. Phillips, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to adopt the conclusions of law in the recommended order as the conclusions of law in this case. Motion seconded by Dr. Phillips, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to adopt the penalty in the recommended order imposing suspension until compliant with background screening requirements, and an administrative fine in the amount of \$500.00 to be paid within 5 years of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Respondent was not present. Mr. Howard 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 Ms. Drago, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to revoke the license, to impose an administrative fine in the amount of \$2,500.00 to be paid within 6 months 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 \$ 500.73 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

**DW-14. Great Glory, LLC**

**Case # 2020-05644 PCP: Phillips / Burke-Wammack**

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

**Action Taken:** After discussion, Mr. Books 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, Ms. Wakeman 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 ( actual knowledge, danger to public, deterrent effect). Motion seconded by Ms. Drago, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$ 1584.42 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

**DW-15. Genhua Zhou, L.M.T.**

**Case # 2019-39370 PCP: Phillips / Burke-Wammack**

Respondent was not present. Mr. Howard 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 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. 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 \$2,500.00 to be paid within 6 months 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 \$300.81 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

**DW-16. Xuan Lang, L.M.T.**

**Case # 2017-10310 PCP: Phillips / Burke-Wammack**

Respondent was not present. Ms. Prescott 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, 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, Mr. Brooks moved to revoke the license and moved to assess costs in the amount of \$ 10,000.00 to be paid within 90 days of the entry of the final order.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$348.52 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

**DW-17. Bryan Lewis, L.M.T.**

**Case # 2018-26008 PCP: Phillips / Burke-Wammack**

Respondent was not present. Ms. Hart 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 Mr. Brooks, 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. Drago, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman to suspend the license for 90 days, and to require a 10-hour Florida Laws and Rules course and a two-hour Professional Ethics 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 \$ 872.20 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

**D. Voluntary Relinquishment**

**VR-18, 19, and 20 were taken en masse.**

**VR-18. Jing Zhong, L.M.T.**

**Case # 2017-09533 PCP: Phillips / Burke-Wammack**

**VR-19. Xingxu Jin, L.M.T.**

**Case # 2018-09952 PCP: Phillips / Burke-Wammack**

**VR-20. Knot Stop, LLC**

**Case # 2020-09629 PCP: Phillips / Whitridge**

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

**RECESS: 12:00 pm / RECONVENE: 1:15 pm**

**IN-05. Guihong Chen Daisernia, L.M.T.**

**Case # 2019-08285 PCP: Phillips / Burke-Wammack**

Respondent was present without counsel. Ms. Prescott 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. Wakeman moved to reprimand the license, to impose an administrative fine in the amount of \$ 2,500.00 to be paid within 6 months 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 \$ 146.38 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

**IN-06. Happy Feet Miami Spa**

**Case # 2020-01576 PCP: Phillips / Burke-Wammack**

Respondent was not present. Mr. Howard 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, Mr. Brooks to reprimand the license and to impose an administrative fine in the amount of \$ 1,000.00 to be paid within 6 months 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 \$959.90 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

**RO-01. Michael Coroneos L.M.T.**

**Case # 2017-13211 PCP: Phillips / Havard**

Respondent was present with counsel, Mr. Lance Leider, Esq. Mr. Henley represented the Department and presented the case by Jared Henley to the Board.

**Action Taken:** After discussion, Ms. Wakeman moved to adopt the findings of fact in the recommended order as the findings of fact in this case. Motion seconded by Ms. Drago, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to adopt the conclusions of law in the recommended order as the conclusions of law in this case. Motion seconded by Ms. Drago, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to adopt the penalty in the recommended order imposing revocation and an administrative fine in the amount of \$2,500.00, with a timeframe for payment within 6 months of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$34,786.12 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

**IN-08. Ping Li, L.M.T.**

**Case # 2014-17745 PCP: Brooks / Phillips**

Respondent was not present. Mr. Howard 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. Atkinson, 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. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Ms. Drago moved to revoke the license and to impose an administrative fine in the amount of \$3,500.00 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Ms. Drago moved to assess costs in the amount of \$954.70 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

**IN-09. Dwayne Carlton McDonald, L.M.T.**

**Case # 2018-16265 PCP: Drago / Spassoff**

**Wakeman / Whitridge**

Respondent was present without counsel. Mr. Howard 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. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved that no material facts were in dispute. Motion seconded by Mr. Brooks, 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, Mr. Brooks moved to dismiss the case with mitigating factors on the record (effect on livelihood, length of time practiced, efforts to rehabilitate, actual negligence). Motion seconded by Dr. Phillips, which carried unanimously.

**RECESS 2:41pm**



## **II. Disciplinary Proceedings**

### **Respondents in Attendance**

**RO-23. Kurt Ehlers, L.M.T.**

**Case # 2017-11289**

**PCP: Wakeman / Spassoff**

Respondent was not present. Mr. Grantham appeared as a qualified representative on behalf of respondent. Ms. Hart represented the Department and presented the case to the board.

**Action Taken:** After discussion, Mr. Brooks moved to adopt the findings of fact in the recommended order as the findings of fact in this case. Motion seconded by Ms. Drago, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to adopt the conclusions of law in the recommended order as the conclusions of law in this case. Motion seconded by Dr. Phillips, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to dismiss the case, as provided in the recommended order. Motion seconded by Dr. Phillips, which carried unanimously.

### **A. Motions for Rehearing**

**MH-24. O Chi Massage Spa**

**Case # 2018-16943**

**PCP: Drago / Whitridge**

Mr. Adrian Middleton, Esq. represented the respondent and presented the motion for rehearing. Ms. Prescott represented the Department.

**Action Taken:** After discussion, Dr. Phillips moved to deny the motion for rehearing. Motion seconded by Mr. Brooks, which carried unanimously.

**MH-25. O Chi Massage Spa**

**Case # 2019-03963**

**PCP: Drago / Whitridge**

Mr. Adrian Middleton, Esq. represented the respondent and presented the motion for rehearing. Ms. Prescott represented the Department.

**Action Taken:** After discussion, Mr. Brooks moved to deny the motion for rehearing. Motion seconded by Dr. Phillips, which carried unanimously.

### **Respondents in Attendance (continued)**

**IN-33. O Chi Massage Spa**

**Case # 2019-01195**

**PCP: Drago / Brooks**

Establishment Owner/Designated Establishment Manager Ms. Zhang was present. Mr. Adrian Middleton, Esq. was present on behalf of the respondent. Mr. Zhe Jiang provided translation (English/Mandarin). Ms. Prescott 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 Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to revoke the license with aggravating factors on the record (danger to the public, prior discipline, actual or potential harm, deterrent effect, actual knowledge

of the licensee pertaining to the violation, damage to the reputation of the profession of massage therapy). Motion seconded by Dr. Phillips, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to assess costs in the amount of \$97.57 to be paid within 6 months of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

**VR-59. Monica Ferraguti De Viehweg, L.M.T. Case # 2019-28278 PCP: Wakeman / Whitridge**

Respondent was present with counsel, Mr. Ray de La Cabada, Esq.

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

**IN-28. Laurel A. Graham, L.M.T. Case # 2015-00509 PCP: Drago / Havard**

Respondent was present without counsel. Ms. Hart 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 Mr. Brooks, 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, Dr. Phillips to reprimand the license, to impose an administrative fine in the amount of \$750.00 to be paid within 1 year of the entry of the final order, and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements. Motion seconded by Mr. Brooks, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$17.58 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

## **F. Settlement Agreements**

**SA-64. Tina Maria Dutill, L.M.T. Case # 2014-22284 PCP: Drago / Havard**

Mr. Mark Thomas, Esq. was present on behalf of respondent. Ms. Prescott represented the Department and presented the case to the board.

**Action Taken:** After discussion, Dr. Phillips moved to reject the settlement agreement and counteroffer to reprimand the license, to impose an administrative fine in the amount of \$500.00, to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements by August 31, 2021, with costs as stated. Motion seconded by Mr. Brooks, which carried unanimously.

**SA-65. Kristin L. Allen, L.M.T. Case # 2020-08805 PCP: Drago / Burke-Wammack**

Mr. Ephraim Livingston, Esq. was present on behalf of respondent. Ms. Prescott 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 Dr. Phillips, which carried unanimously.

**Costs: 2038.88**

## Respondents in Attendance (continued)

**IN-32. Michele L. Velez, L.M.T.**

**Case # 2015-05556**

**PCP: Drago / Phillips**

Respondent was present without counsel. Ms. Prescott 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. Wakeman to reprimand the license and to impose an administrative fine in the amount of \$1,500.00 to be paid within 18 months 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 \$41.65 to be paid within 18 months of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

**DW-35. Alfredo Barreras, L.M.T.**

**Case # 2018-22307**

**PCP: Drago / Phillips**

Respondent was not present. Ms. Prescott 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. Atkinson, 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. Groover-Skipper, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to revoke the license and to impose an administrative fine in the amount of \$2,500.00 to be paid within 6 months of the entry of the final order. Motion seconded by Mr. Brooks, which carried 4/1 with Ms. Atkinson in opposition.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$1,578.38 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried 4/1 with Ms. Atkinson in opposition.

**VR-58. Mark A. Good, L.M.T.**

**Case # 2016-18305**

**PCP: Brooks / Havard**

Respondent was not present.

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

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

**DW-43. Yalin Xiang, L.M.T.**

**Case # 2017-11378**

**PCP: Brooks / Drago**

**Pulled at the request of the Department.**

## D. Voluntary Relinquishments

**VR-47. Zhu Yu Xu, L.M.T.**

**Case # 2014-18052**

**PCP: Drago / Whitridge**

Respondent was present; Mr. Zhe Jiang provided translation (Mandarin/English).

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

**VR-55. Kenneth R Bryant, L.M.T.**

**Case # 2018-18729**

**PCP: Drago / Whitridge**

Respondent was present without counsel.

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

### **The following voluntary relinquishments were taken together:**

**VR-45. Thomas Grasso, L.M.T.**

**Case # 2020-33593**

**PCP: Waived**

**VR-46. Thomas Grasso, L.M.T.**

**Case # 2020-36758**

**PCP: Waived**

**Action Taken:** After discussion, Dr. Phillips moved to accept the voluntary relinquishments. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

### **The following voluntary relinquishments were taken en masse:**

**VR-48. Robert Bonavolta, L.M.T.**

**Case # 2019-12030**

**PCP: Drago / Burke-Wammack**

**VR-49. Alexander Christian Hyman, L.M.T. Case # 2019-49314**

**PCP: Drago / Burke-Wammack**

**VR-50. Lihong Xia, L.M.T.**

**Case # 2016-21696**

**PCP: Drago / Havard**

**VR-51. Fuzi Jin, L.M.T.**

**Case # 2019-39659**

**PCP: Drago / Whitridge**

**VR-52. Nelson W. Blosser, L.M.T.**

**Case # 2019-51819**

**PCP: Drago / Whitridge**

**VR-53. Dustin Perry Duncan, L.M.T.**

**Case # 2018-26824**

**PCP: Drago / Whitridge**

**VR-54. Health & Lifestyle, LLC**

**Case # 2019-30148**

**PCP: Drago / Whitridge**

**VR-56. Yuan Lan Wang, L.M.T.**

**Case # 2017-08645**

**PCP: Drago / Whitridge**

**VR-57. Xiurong Min, L.M.T.**

**Case # 2017-01111**

**PCP: Drago / Havard / Spasoff**

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

**VR-58. Mark A. Good, L.M.T.**

**Case # 2016-18305**

**PCP: Brooks / Havard**

**Item was heard earlier in the meeting.**

**VR-59. Monica Ferraguti De Viehweg, L.M.T. Case # 2019-28278**

**PCP: Wakeman / Whitridge**

**Item was heard earlier in the meeting.**

**The following voluntary relinquishments were taken en masse:**

<b>VR-60. Ermin Luis, L.M.T.</b>	<b>Case # 2019-50987</b>	<b>PCP: Wakeman / Whitridge</b>
<b>VR-61. Mia Bella Salon and Spas</b>	<b>Case # 2018-26016</b>	<b>PCP: Wakeman / Whitridge</b>
<b>VR-62. Bernard Torres, L.M.T.</b>	<b>Case # 2019-11291</b>	<b>PCP: Wakeman / Whitridge</b>
<b>VR-63. Hai Tang Li, L.M.T.</b>	<b>Case # 2019-44864</b>	<b>PCP: Wakeman / Whitridge</b>

**Action Taken:** After discussion, Dr. Phillips moved to accept the voluntary relinquishments. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

**DW-37. Vanessa James, L.M.T. Case # 2017-08646 PCP: Drago / Haynes**

Respondent was present without counsel. Ms. Hart 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 dismiss the case. Motion seconded by Dr. Phillips, which carried unanimously.

**RO-22. Devin Triplett, L.M.T. Case # 2018-29110 PCP: Drago / Spasoff**

Respondent was present without counsel. Ms. Ward represented the Department and presented the case to the board.

**Action Taken:** After discussion, Dr. Phillips moved to reject petitioner's exception 1 and accept the findings of fact and conclusions of law arising from a plain language reading of rule language defining draping. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to reject petitioner's exception 2 and accept the findings of fact and conclusions of law arising from a plain language reading of rule language defining draping. Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to reject petitioner's exception 3 and to accept the findings of fact and conclusions of law arising from a plain language reading of rule language defining draping. Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to reject petitioner's exception 3 and to accept the findings of fact and conclusions of law arising from a plain language reading of rule language defining draping. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to accept the findings of fact of the recommended order not specifically considered in the petitioner's exceptions as the findings of fact in this case. Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to accept the conclusions of law not specifically considered in the petitioner's exceptions as the conclusions of law in this case. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to accept the dismissal of the case as proposed in the recommended order as the resolution of this case. Motion seconded by Ms. Wakeman, which carried unanimously.

**RECESS 1:08 pm / RECONVENE: 1:41 pm**

**DW-40. Roberto Herrera, L.M.T.**

**Case # 2020-27333**

**PCP: Drago / Burke-Wammack**

Respondent was present without counsel. Ms. Prescott 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 revoke the license and to impose an administrative fine in the amount of \$2,500 to be paid within 1 year. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to assess costs in the amount of \$890.08 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

**IN-26. Paul Berek, L.M.T.**

**Case # 2016-10832**

**PCP: Drago / Whitridge**

Respondent was not present. Ms. Renaud 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. Atkinson, 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. Groover-Skipper, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to reprimand the license to impose an administrative fine in the amount of \$1,500.00 to be paid within 1 year of the entry of the final order and to require a 10-hour Florida Laws and Rules course to be completed by August 31, 2021 above and beyond renewal requirements. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to assess costs in the amount of \$380.89 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.



## A. Recommended Orders

**RO-21. Mingli Li, L.M.T.**

**Case # 2016-10932**

**PCP: Drago / Havard / Whitridge**

Respondent was present without counsel. Mr. Zhe Jiang provided translation (Mandarin/English). Ms. Hart represented the Department and presented the case to the board.

**Action Taken:** After discussion, Dr. Phillips moved to reject the Respondent's exceptions to findings of fact (paragraphs 20 and 21). Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to reject the Respondent's exceptions to conclusions of law (paragraphs 34 and 35). Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to accept the findings of fact in the Recommended Order as the findings of fact in this case. Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to accept the conclusions of law in the Recommended Order as the conclusions of law in this case. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to accept the penalty of the Recommended Order as the resolution of this case, with fines to be paid within 5 years 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 \$24,829.80 to be paid within 5 years of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

**RO-22. Devin Triplett, L.M.T.**

**Case # 2018-29110**

**PCP: Drago / Spasoff**

**Item was heard earlier in the meeting.**

**RO-23. Kurt Ehlers, L.M.T.**

**Case # 2017-11289**

**PCP: Wakeman / Spasoff**

**Item was heard earlier in the meeting.**

## A. Motions for Rehearing

**MH-24. O Chi Massage Spa**

**Case # 2018-16943**

**PCP: Drago / Whitridge**

**Item was heard earlier in the meeting.**

**MH-25. O Chi Massage Spa**

**Case # 2019-03963**

**PCP: Drago / Whitridge**

**Item was heard earlier in the meeting.**

**RECESS 2:56 pm / RECONVENE: 3:45 pm**

## B. Informal Hearings

**IN-27. Li Wang, L.M.T.**

**Case # 2014-21420**

**PCP: Drago / Whitridge**

**Continued at the request of the respondent.**



~~Item was heard earlier in the meeting.~~

**IN-29. Aizi Li, L.M.T. Case # 2018-24929 PCP: Drago / Whitridge**

Respondent was not present. Mr. Bischof 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. 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. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to revoke the license and to impose an administrative fine in the amount of \$500.00 to be paid within 2 years. Motion seconded by Dr. Phillips, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$4,916.08 to be paid within 2 years of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

**IN-30. Sanick Oxceus, L.M.T. Case # 2018-29856 PCP: Drago / Whitridge**

Respondent was present without counsel. Mr. Bischof 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, 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 suspend the license and require the respondent to contact PRN to schedule an evaluation within 30 days, complete an evaluation within 60 days, and be deemed safe to practice or comply with requirements of PRN within 90 days. Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to assess costs in the amount of \$ XX.XX 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. Prescott 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 6 months 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 \$938.45 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

~~**Item was heard earlier in the meeting.**~~

~~**Item was heard earlier in the meeting.**~~

Respondent was not present. Ms. Prescott 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 \$10,000 to be paid within 5 years of the entry of the final order, with aggravating factors on the record (fraud danger to public, length of time licensed, actual and potential harm, deterrent effect, actual knowledge of licensee, negligence, damage to the reputation of massage therapy profession). Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to assess costs in the amount of \$1902.60 within 5 years of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

### **C. Determination of Waivers**

~~**Item was heard earlier in the meeting.**~~

**DW-36. Taymi Gonzalez, L.M.T.**

**Case # 2016-23112**

**PCP: Drago / Havard**

Respondent was not present. Ms. Hart 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 Ms. Groover-Skipper, which carried unanimously.

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

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

~~**DW-37. Vanessa James, L.M.T.**~~

~~**Case # 2017-08646**~~

~~**PCP: Drago / Haynes**~~

**Item was heard earlier in the meeting.**

**DW-38. John Waid, L.M.T.**

**Case # 2019-21465**

**PCP: Drago / Whitridge**

Respondent was not present. Ms. Hart 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. 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 \$250.00 to be paid within 1 year of the entry of the final order.

**Action Taken:** After discussion, Dr. Phillips moved to assess costs in the amount of \$132.98 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

**DW-39. Xiao Qin Deng, L.M.T.**

**Case # 2014-22675**

**PCP: Brooks / Whitridge**

Respondent not present Mr. Bischof 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. Groover-Skipper, 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.

**Action Taken:** After discussion, Dr. Phillips moved to revoke the license and to impose an administrative fine of \$2,500.00 to be paid within one year of the entry of the final order, with aggravating factors on the record (damage to the reputation of the profession of massage therapy, actual negligence of the licensee, deterrent effect, time licensed, potential danger to the public). Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to assess costs in the amount of \$2049.46 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

~~DW-40. Roberto Herrera, L.M.T. Case # 2020-27333 PCP: Drago / Burke-Wammack~~

**Item was heard earlier in the meeting.**

**DW-41. Javarous Lashay McNealy, L.M.T. Case # 2018-25606 PCP: Drago / Whitridge**

Respondent was not present. Ms. Ward 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. Atkinson 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. Groover-Skipper, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to revoke 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 Dr. Phillips, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$2,634.04 to be paid within one year of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

**DW-42. Qiuyun Han, L.M.T. Case # 2018-14196 PCP: Drago / Havard**

Respondent was not present. Ms. Ward represented the Department and presented the case to the board.

**Action Taken:** After discussion, Ms. Groover-Skipper 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 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. Atkinson, 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 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$569.65 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

~~DW-43. Yalin Xiang, L.M.T. Case # 2017-11378 PCP: Brooks / Drago~~

**Pulled at the Request of the Department**

Respondent was not present. Ms. Renaud 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. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Ms. Atkinson 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 impose an administrative fine of \$10,000.00 to be paid within five years of the entry of the final order with aggravating factors on the record (potential danger to the public, length of time licensed, actual harm, deterrent effect, effort to rehabilitate, actual knowledge, actual negligence, evidence of fraud or misrepresentation, danger to the reputation of massage therapy). Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Dr. Phillips moved to assess costs in the amount of \$258.54 to be paid within 5 years of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

### III. GENERAL BUSINESS DISCUSSION

#### A. Old Business

Nothing at this time.

#### B. New Business

Ms. Monroe provided that the massage bill has been passed into law, and that the Board is likely to travel to Panama City Beach for their next general business meeting.

### IV. ADJOURN - 5:05 pm