



General Business Meeting

Telephone Conference
June 9-10, 2021
9:00am

Meet-Me Number: (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*
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

Ann Prescott, Esq., *Assistant General Counsel*
John Bischof, Esq., *Assistant General Counsel*
Dannie Hart, Esq., *Assistant General Counsel*
Julisa Renaud, Esq., *Assistant General Counsel*

COURT REPORTER

For the Record
Ray Convery
(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.floridasmassage.com/meeting-information/>

I. ADMINISTRATIVE PROCEEDINGS

A. Petition for Reinstatement

AD-01. Kristin Allen

Case # 2020-08805

Petitioner was present with counsel, Mr. Ephraim Livingston, Esq.

Action Taken: After discussion, Mr. Brooks moved to reinstate the license from suspension. Motion seconded by Dr. Phillips, which carried unanimously.

B. Informal Hearings

AD-02. Adams, Stephanie

File: 100075

Applicant was present with counsel, Mr. Andy Dogali, Esq.

Action Taken: After discussion, Dr. Phillips moved to uphold the notice of intent to deny. Motion seconded by Ms. Atkinson, which carried 3/1 with Mr. Brooks in opposition.

Applicants in Attendance

AD-18. Yang, Fangyan

File: 104881

Applicant was present with counsel, Mr. Lance Leider, Esq. Hao Li was present to interpret from Mandarin to English.

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

Petitioners in Attendance

AD-05. Hooks, Sharon

MA7538

Petitioner was present without counsel.

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

AD-06. Kingsley, Lisa

MA31329

Petitioner was present without counsel.

Action Taken: After discussion, Dr. Phillips moved to grant the petition and allow the Tui Na course to report as 12 hours of hands-on continuing education for renewal. Motion seconded by Mr. Brooks, which carried 3/1 with Ms. Atkinson in opposition.

RECESS: 10:56 / RECONVENE:

C. Petitions for Variance or Waiver

AD-03. Danielewicz, Patrick

MA82546

Petitioner was not present.

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

AD-04. Gustafson, Rhonda L

MA40608

Petitioner was not present.

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

~~**AD-05. Hooks, Sharon**~~ ~~**MA7538**~~

This item was heard earlier in the meeting.

~~**AD-06. Kingsley, Lisa**~~ ~~**MA31329**~~

This item was heard earlier in the meeting.

AD-07. Parker-Hunton, Andrea

MA19244

Petitioner was not present.

Action Taken: After discussion, Dr. Phillips moved to grant the petition for variance or waiver. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

AD-08. Ruangsakvichit, Phornvipar

MA73697

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

AD-09. Silva, Saul

MA76140

Action Taken: After discussion, Dr. Phillips moved to grant the petition for variance or waiver. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

AD-10. Tolbert, Karen Bethel

MA38040

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

AD-11. Wilkes, Ashley

MA71133

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

Applicants in Attendance

AD-12. Avello, Tashanna Maria

File: 104452

Applicant was present without counsel.

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

AD-13. Boltz, David**File: 104212**

Applicant was present without counsel.

Applicant verbally amended his application on the record.

Action Taken: After discussion, Dr. Phillips moved to accept the verbal amendment on the record. Motion seconded by Mr. Brooks, which carried unanimously.

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

AD-15. Hart, Jeremiah**File: 104443**

Applicant was present without counsel.

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

AD-16. McElroy, Kevin**File: 103913**

Applicant was present without counsel.

Action Taken: After discussion, Mr. Brooks moved to grant the license contingent upon the completion of six hours of sexual harassment or victim impact education, with the course to be approved by Ms. Wakeman. Motion seconded by Ms. Wakeman, which carried unanimously.

AD-19. Zhao, Jing**File: 104666**

Applicant was present without counsel.

Action Taken: After discussion, Dr. Phillips moved to deny the license due to prior unlicensed activity. Motion seconded by Mr. Brooks, which carried unanimously.

RECESS: 12:30 pm / 1:30 pm

Board Approval of Massage Therapy Schools - in Attendance**AD-21. Life-Line Institute****File: 468 (Curriculum - Substantive Change)**

Ms. Marisel Santana was present on behalf of Life-Line Institute.

Action Taken: After discussion, Dr. Phillips moved to require the school to take corrective action by submit course of study documentation, to include a course catalog, course descriptions, and other curriculum materials which demonstrate that the course of study being offered meets the minimum standards of 64B7-32, Florida Administrative Code and to require the appearance of the school at one of the next two in-person meetings of the Board. Motion seconded by Mr. Brooks, which carried unanimously.

AD-22. Medcap Health and Beauty Institute File: 478 (New application)

Mr. Angel Medina was present on behalf of Medcap Health and Beauty Institute.

Mr. Medina waived his right to 90-day review under 120, F.S. to allow the submission of corrected materials.

Action Taken: After discussion, Mr. Brooks moved to accept the waiver of right to review under 120, F.S. within 90 days. Motion seconded by Ms. Groover-Skipper.

The Board continued this item.

AD-23. Summit Salon Academy File: 470 (New application)

Ms. Elizabeth Duncan was present on behalf of Summit Salon Academy.

Ms. Duncan waived her right to 90-day review under 120, F.S. to allow the submission of corrected materials.

Action Taken: After discussion, Mr. Brooks moved to accept the waiver of right to review under 120, F.S. within 90 days. Motion seconded by Dr. Phillips.

The Board continued this item.

D. Applicants with History

AD-12. Avello, Tashanna Maria File: 104452

This item was heard earlier in the meeting.

AD-13. Boltz, David File: 104212

This item was heard earlier in the meeting.

AD-14. Grandmaison, Tiffanie S File: 103730

Applicant was not present.

Action Taken: After discussion, Mr. Brooks moved to grant the license contingent upon amendment to disclose criminal history. Motion seconded by Dr. Phillips, which carried unanimously.

AD-15. Hart, Jeremiah File: 104443

This item was heard earlier in the meeting.

AD-16. McElroy, Kevin File: 103913

This item was heard earlier in the meeting.

AD-17. Turner, Julie File: 104794

Applicant was not present.

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

AD-18. Yang, Fangyan File: 104881

This item was heard earlier in the meeting.

AD-19. Zhao, Jing File: 104666

This item was heard earlier in the meeting.

E. Board Approved Massage Therapy Schools

AD-20. Florida Dermal Institute File: 459

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to deny the application, as the materials presented did not meet minimum standards found in 64B7-32, Florida Administrative Code. Motion seconded by Mr. Brooks, which carried unanimously.

~~AD-21. Life-Line Institute – Ocala~~ File: 468

This item was heard earlier in the meeting.

~~AD-22. Medcap Health and Beauty Institute~~ File: 478

This item was heard earlier in the meeting.

~~AD-23. Summit Salon Academy~~ File: 470

This item was heard earlier in the meeting.

AD-A1. Florida Gulf Coast Academy File: 450

Applicant was not present.

Action Taken: After discussion, Mr. Brooks moved to deny the application, as the materials presented did not meet minimum standards found in 64B7-32, Florida Administrative Code. Motion seconded by Mr. Brooks, which carried unanimously.

II. RULES DISCUSSION

A. Resources - House Bill 245 (2021)

Implementation Plan (HB 245)

Bill Text (Enrolled)

House of Representatives Staff Analysis

Agency Legislative Bill Analysis

Assessment Rule – Development Information

Action Taken: After discussion, Mr. Brooks moved that a Rule Workshop hearing should be noticed for the development of rules related to the term “assessment.” Motion seconded by Dr. Phillips, which carried unanimously.

B. Conforming Rule Changes - House Bill 245 (2021)

64B7-29.001, F.A.C. – Definitions

DH-MQA 1247 – Application for Colonic Irrigation Certification – Form Update

Action Taken: After discussion, Dr. Phillips moved to adopt the changes with the addition of “immediately” to subsection three, inserted before the word prior and to amend Form DH-MQA 1265 to add the word “immediately.” Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved that the proposed rule would not have a direct or indirect impact on small business or an increase in regulatory cost in excess of \$200,000 within 1 year. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved that the proposed rule should not be considered a minor violation. Motion seconded by Dr. Phillips, which carried unanimously.

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

64B7-29.007, F.A.C. – Discussion of Additional Changes

Dr. Phillips proposed additional changes to 64B7-29.007, F.A.C. to update additional provisions regarding colonic irrigation apprenticeship.

Action Taken: After discussion, Mr. Brooks moved to open Rule 64B7-29.007, F.A.C. to incorporate form DH-MQA 1265 as amended. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved that the proposed rule would not have a direct or indirect impact on small business, or an increase in regulatory cost in excess of \$200,000 within 1 year of implementation. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved that the proposed rule should not be considered a minor violation. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

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

64B7-25.001, .004, F.A.C.

64B7-25.001 – Examination Requirements

64B7-25.004 – Endorsements

DH-MQA 1115 – Application for Massage Therapist License

64B7-26.007, F.A.C. – Massage Establishment Change of Name/Location – Proposed Rule

Action Taken: After discussion, Mr. Brooks moved to adopt the proposed changes to rules 64B7-25.001, .004, and DH-MQA 1115. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Ms. Groover-Skipper moved that the proposed rule would not have a direct or indirect impact on small business, or an increase in regulatory cost in excess of \$200,000 within 1 year of implementation. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved that the proposed rule should not be considered a minor violation. Motion seconded by Ms. Drago, which carried unanimously.

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

C. 64B7-32, F.A.C.

64B7-32.001, F.A.C. – Definitions

Dr. Phillips proposed shortening the timeframe for submission of graduate lists as set forth in the proposed rule from 3 months to 10 business days.

Dr. Phillips proposed modifying the definition of “graduate list” such that the graduate list must both be signed by an approved signer or custodian of records, and to specify that they must originate directly from the school or the custodian of records.

64B7-32.002, F.A.C. – Proof of Graduation

64B7-32.003, F.A.C. – Minimum Requirements for Board Approved Massage Therapy Schools

Dr. Phillips proposed adding “massage therapy” to subject area requirement titles excluding those which are expressly referenced elsewhere in statute (e.g. prevention of medical errors).

64B7-32.005, F.A.C. – Minimum Standards for Colonic Irrigation Training Programs

Action Taken: After discussion, Mr. Brooks moved to adopt 64B7-32.001, .002, .003, .005 as proposed with amendments as stated on the record. Motion seconded by Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved that the proposed rule would not have a direct or indirect impact on small business, or an increase in regulatory cost in excess of \$200,000 within 1 year of implementation. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved that the proposed rule should not be considered a minor violation. Motion seconded by Dr. Phillips, which carried unanimously.

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

Action Taken: After discussion, Mr. Brooks moved to withdraw notices of proposed change for rules currently in development to allow conforming changes to be re-noticed and proceed. Motion seconded by Dr. Phillips, which carried unanimously.

Adjourn 5:30p

III. DISCIPLINARY PROCEEDINGS

Respondents in Attendance

DW-61. Golden Sunflowers Spa Inc.

Case # 2019-38000

PCP: Drago/Whitridge

Respondent was present with Counsel, Asher Bryn, Esq. 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 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 Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to revoke the license with aggravating factors on the record (attempts to correct violation, damage to reputation of the profession, actual harm). Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$990.90 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

IN-30. Marsha S. Adams, L.M.T.

Case # 2015-02473

PCP: Davis/Walker

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 requested an informal hearing and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

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

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

IN-31. Richard Brian Mackereth, L.M.T.

Case # 2019-40365

PCP: Wakeman/Whitridge

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 Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips to reprimand the license, to impose an administrative fine in the amount of \$250.00 to be paid within 3 years 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 Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$91.54 to be paid within 3 years of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

IN-32. Ronald Baldwin, L.M.T.

Case # 2014-20845

PCP: Wakeman/Whitridge

Respondent was present without counsel. Ms. Renaud 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. Atkinson, which carried unanimously.

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

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$23.17 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

IN-39. Kaitlyn M. Sullivan, L.M.T.

Case # 2019-04465

**PCP: Brooks / Drago
/Phillips**

Item continued for quorum.

IN-33. Bailey Dorea Clair, L.M.T.

Case # 2018-11978

PCP: Wakeman/Whitridge

Respondent was present without counsel. 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 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. Groover-Skipper, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to return the case to probable cause for consideration of amendment of the administrative complaint. Motion seconded by Ms. Atkinson, which carried 5/1 with Ms. Groover-Skipper in opposition.

Respondent was present without counsel. Ms. Renaud 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, 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. Atkinson, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to reprimand the license, to impose an administrative fine in the amount of \$ 500.00 to be paid within 3 years 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 Dr. Phillips, which carried 4/2 with Ms. Drago Ms. Atkinson in opposition.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$ 1,717.73 to be paid within 3 years of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

Respondent was present without counsel. 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. 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 Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to revoke the license and impose a fine in the amount of \$1,000.00 to be paid within 3 years of the entry of the final order. Motion seconded by Mr. Brooks, which carried 5/1 with Mr. Brooks in opposition.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$505.97. Motion seconded by Dr. Phillips, which carried unanimously.

RECESS: 12:28 pm / RECONVENE: 1:30 pm

Case pulled at the request of the Department.

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 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. Atkinson, which carried unanimously.

Action Taken: After discussion, Dr. Phillips to impose an administrative fine in the amount of \$500.00 to be paid within 2 years of the entry of the final order, and to and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements within 2 years of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$361.74 to be paid within 2 years of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

DW-64. Shao Bo, L.M.T.

Case # 2019-17644

PCP: Brooks/Drago

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. Groover-Skipper, 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, Ms. Wakeman 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 Dr. Phillips, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$334.17 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

B. Voluntary Relinquishments

VR-25. Neal G. Henegar, L.M.T.

Case # 2018-09319

PCP: Wakeman/Whitridge

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

VR-25 and VR-26 were taken together.

VR-26. Alexi Alberto Martinez, L.M.T.

Case # 2019-44593

PCP: Drago/Havard

VR-27. Brizuela Morales, L.M.T.

Case # 2020-29937

PCP: Drago/Whitridge

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

VR-28. Wenping Fan, L.M.T.

Case # 2015-10517

PCP: Brooks/Phillips

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

A. Request for Reconsideration

RE-24. Quanjun He

Case # 2019-29577

Respondent was not present.

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

C. Informal Hearings

IN-29. Danielle Marie Valenca, L.M.T.

Case # 2014-20732

PCP: Nixon/Harrison

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 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, Dr. Phillips moved 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 above and beyond renewal requirements within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$40.70 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

~~IN-30. Marsha S. Adams, L.M.T.~~

~~Case # 2015-02473~~

~~PCP: Davis/Walker~~

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

~~IN-31. Richard Brian Mackereth, L.M.T.~~

~~Case # 2019-40365~~

~~PCP: Wakeman/Whitridge~~

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

~~IN-32. Ronald Baldwin, L.M.T.~~

~~Case # 2014-20845~~

~~PCP: Wakeman/Whitridge~~

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

~~IN-33. Bailey Dorea Clair, L.M.T.~~

~~Case # 2018-11978~~

~~PCP: Wakeman/Whitridge~~

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

IN-34. Xiaodong Cui, L.M.T.

Case # 2018-16794

PCP: Wakeman/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 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to revoke the license and impose an administrative fine in the amount of \$2,500.00 to be paid within 90 days 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 \$1042.19 to be paid within 90 days of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

IN-35. Jah'ton Galloway, L.M.T.

Case # 2019-32961

PCP: Wakeman/Whitridge

Item was heard earlier in the meeting.

IN-36. Chantell Harrington, L.M.T.

Case # 2015-03436

PCP: Wakeman/

Burke-Wammack

Item was heard earlier in the meeting.

IN-37. Jennifer Lynn Paugh, L.M.T.

Case # 2018-07208

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 requested an informal hearing and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Ms. 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, Dr. Phillips moved to impose an administrative fine in the amount of \$850.00 to be paid within 1 year of the entry of the final order with aggravating factors on the record (danger to the public, length of time licensed, actual/potential harm, deterrent effect, efforts to rehabilitate, no attempt to correct violation, actual negligence, damage to the profession). Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$946.86 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Item was heard earlier in the meeting.

Item was heard earlier in the meeting.

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 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. 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 for 30 days, 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 10 hours of Florida Laws and Rules to be completed above and renewal requirements within 1 year of the entry of the final order with aggravating factors on the record (damage to the profession, actual negligence, deterrent effect, actual or potential harm, length of time licensed, 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 \$203.30 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

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 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 \$250.00 fine to be paid within 1 year of the entry of the final order, and to require 10 hours of Florida Laws and Rules to be completed above and renewal requirements within 1 year of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$669.77 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Groover-Skipper, 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. 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. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved reprimand, 500/1y, LR/1y. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$697.26 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. Renaud 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, 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 \$1,000.00 to be paid within 1 year of the entry of the final order, and to require 10 hours of Florida Laws and Rules to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$47.08 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Earlier

Continued at the request of the respondent.

Pulled at the request of the Department.

RECESS: 3:02 pm / 3:12 pm

D. Determination of Waivers

DW-47. Chunhua Li, L.M.T.

Case # 2016-29166

PCP: Nixon/Haynes

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 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, Dr. Phillips moved to revoke the license and 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 (potential danger to the public, length of time licensed, no effort to rehabilitate, no attempt to correct, actual negligence, damage to the reputation of the profession. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$879.97 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

DW-48. Chunhua Li, L.M.T.

Case # 2019-30638

PCP: Phillips/Whitridge

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

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

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$703.25 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

DW-49. Chunhua Li, L.M.T.

Case # 2019-31050

PCP: Phillips/Whitridge

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. 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. Atkinson, which carried unanimously.

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

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$149.53 to be paid within X of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

DW-50. Chunhua Li, L.M.T.

Case # 2019-34835

PCP: Phillips/Whitridge

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, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

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

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$332.39 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

DW-51. Brian Lewis, L.M.T.

Case # 2017-21141

**PCP: Phillips/
Burke-Wammack**

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, 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 suspend the license for 6 months, to impose an administrative fine in the amount of \$250.00 to be paid within 90 days of the entry of the final order, and to require 10 hours of Florida Laws and Rules to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$375.36 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

DW-52. Li Geng, L.M.T.

Case # 2018-27533

**PCP: Phillips/
Burke-Wammack**

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, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Drago, which carried unanimously.

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

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$160.73 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

DW-53. Nerlande Estimable, L.M.T.

Case # 2015-12870

PCP: Drago/Havard

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

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

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose an administrative fine in the amount of \$1,000.00 to be paid within 1 year of the entry of the final order, and to require 10 hours of Florida Laws and Rules to be completed within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$193.82 to be paid within 1 year of the entry of the final order. Motion seconded by Dr. Phillips, which carried unanimously.

DW-54. 168 Massage L.L.C.

Case # 2019-35243

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

Action Taken: After discussion, Dr. Phillips moved to revoke the license and impose a \$10,000.00 fine to be paid within 90 days of the entry of the final order with aggravating factors on the record (damage to the profession, evidence of fraud or misrepresentation, attempt to correct the violation, attempt to rehabilitate, deterrent effect, actual or potential harm, 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 \$1,341.70 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

DW-55. Gilbert Figueroa, L.M.T.

Case # 2015-13137

PCP: Drago/Wakeman

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

Action Taken: After discussion, Dr. Phillips moved to suspend the license until compliant with background screening requirements, to impose an administrative fine in the amount of \$1,000.00 to be paid within 1 year of the entry of the final order, and to require 10 hours of Florida Laws and Rules to be

completed within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$2,736.73 to be paid within 1 year of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

DW-56. Yanjuan Lu, L.M.T. Case # 2016-27994 PCP: Wakeman/Whitridge

Pulled at the request of the Department.

DW-57. Hong Zeng, L.M.T. Case # 2018-11758 PCP: Wakeman/Whitridge

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, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to revoke the license and to impose an administrative fine in the amount of \$3,500.00 to be paid 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 \$1,149.05 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

DW-58. Stephanie R. Burkett, L.M.T. Case # 2018-11071 PCP: Wakeman/Whitridge

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, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose an administrative in the amount of \$500.00 to be paid within 90 days of the entry of the final order, and to require 10 hours of Florida Laws and Rules to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$616.31 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

DW-59. Stephanie R. Burkett, L.M.T. Case # 2015-04568 PCP: Drago/Whitridge

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

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

Action Taken: After discussion, Dr. Phillips moved to revoke the license and to impose an administrative fine in the amount of \$5,000.00 (actual or potential harm) to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$290.07 to be paid within 90 days of the entry of the final order. Motion seconded by Mr. Brooks, which carried unanimously.

DW-60. Liangliang Li, L.M.T.

Case # 2019-30146

PCP: Drago/Whitridge

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

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

Action Taken: After discussion, Dr. Phillips moved to revoke the license and to impose an administrative fine in the amount \$10,000.00 to be paid within 90 days of the entry of the final order with aggravating factors on the record (actual knowledge of the licensee, evidence of fraud or misrepresentation, length of time licensed, deterrent effect, danger to the public, actual or potential harm). Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$255.31 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

~~**DW-61. Golden Sunflowers Spa Inc.**~~

~~**Case # 2019-38000**~~

~~**PCP: Drago/Whitridge**~~

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

DW-62. Z&L FL, Inc.

Case # 2019-00189

PCP: Drago/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, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to suspend the license for 6 months and impose an administrative fine in the amount of \$2,500.00 to be paid within 30 days with aggravating factors on the record. Motion seconded by Mr. Brooks, which carried unanimously.

Action Taken: After discussion, Mr. Brooks moved to assess costs in the amount of \$373.03 to be paid within 30 days of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

DW-63. Allison Marie Castillo, L.M.T.

Case # 2014-20966

**PCP: Brooks/Wakeman
/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 waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the

administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Atkinson, 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 6 months of the entry of the final order, and to require 10 hours of Florida Laws and Rules to be completed within 6 months. Motion seconded by Ms. Atkinson, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$28.21 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

~~DW-64. Shao Bo, L.M.T. Case # 2019-17644 PCP: Brooks/Drage~~

Item was heard earlier in the meeting.

DW-65. Kathleen Ann Poskitt, L.M.T. Case # 2015-21826 PCP: Brooks/Drage / Whitridge

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 waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Atkinson, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to reprimand the license, to impose a fine in the amount of \$500.00 to be paid within 6 months of the entry of the final order, and to require 10 hours of Florida Rules to be completed within 6 months of the entry of the final order, with mitigating factors on the record (length of time since violation). Motion seconded by Ms. Atkinson, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$904.86 to be paid within 6 months of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

DW-66. Amarilis E. Calvo, L.M.T. Case # 2018-22362 PCP: Brooks/Drage

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 waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to revoke the license and impose an administrative fine in the amount of \$10,000 to be paid within 5 years with aggravating factors on the record (danger to the public, actual knowledge of the violation, evidence of fraud or misrepresentation, actual knowledge of the licensee, actual negligence of the licensee, damage to the profession). Motion seconded by Ms. Wakeman, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$675.89 to be paid within 30 days 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 waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Wakeman, which carried unanimously.

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

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$486.47 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Respondent was not present. Mr. 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 waived their right to an informal hearing, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to revoke the license and to impose an administrative fine in the amount of \$3,750.00 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Atkinson, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$434.02 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Wakeman, which carried unanimously.

Respondent was not present. Ms. 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, to accept the findings of fact and conclusions of law as set forth in the administrative complaint and to find that the findings of fact and conclusions of law constitute a violation of the practice act. Motion seconded by Ms. Groover-Skipper, 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. Motion seconded by Ms. Atkinson, which carried unanimously.

Action Taken: After discussion, Dr. Phillips moved to assess costs in the amount of \$196.65 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

IV. GENERAL BUSINESS DISCUSSION

A. OLD BUSINESS

Meeting Planning and Locations

B. NEW BUSINESS

2022 Proposed Meeting Dates – Brief Discussion

V. ADJOURN

Draft