



General Business Meeting

December 8, 2021
9:00 am

Meet Me #:
1 (888) 585-9008

Participation Code:
508-909-666

MEETING MINUTES

CALL TO ORDER

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

MEMBERS PRESENT

Christopher Brooks, LMT, *Chair*
Sharon Phillips, LMT, AP, DOM, *Vice-Chair*
Victoria Drago, LMT
Jennifer Wakeman, LMT

Dotti Groover-Skipper

MEMBERS ABSENT

Sandra Atkinson, LMT (late unexcused; 9:55 am)

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., *Assistant General Counsel*
Dannie Hart, Esq., *Assistant General Counsel*

COURT REPORTER

For the Record
(850) 222-5491

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

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

I. DISCIPLINARY PROCEEDINGS

SA-06. FUJI MASSAGE

Case # 2019-44299

PCP: Brooks/Whitridge

Respondent (Ms. Fan) was present with counsel, Judson Orrick, Esq. Ms. Hart represented the Department and presented the case to the board.

Action Taken: After discussion, Ms. Wakeman moved to accept the settlement agreement with costs in the amount of \$752.20. Motion seconded by Ms. Drago, which carried 3/1 with Dr. Phillips in opposition.

A. Voluntary Relinquishments

VR-01. STAR MASSAGE LLC

Case # 2021-17202

PCP: Waived

Respondent was not present.

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

VR-02. LOUIS GAY, LMT

Case # 2018-02782

PCP: Wakeman/Spasoff

Respondent was not present.

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

VR-03. LOUIS GAY, LMT

Case # 2019-00352

PCP: Wakeman/Spasoff

Respondent was not present.

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

VR-04. HELLO SPA

Case # 2021-26396

PCP: Wakeman/Drage

Case continued for quorum.

VR-05. JOSEPH FRANCIS BOLDUC, LMT

Case # 2020-34806

PCP: Brooks/Whitridge

Respondent was not present.

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

B. Settlement Agreements

SA-06. FUJI MASSAGE

Case # 2019-44299

PCP: Brooks/Whitridge

Item was heard earlier in the meeting.

~~SA-07. CONCETTA TIFFANY DIDIANO, LMT Case # 2018-29078 PCP: Brooks/Whitridge~~

~~Case continued for quorum.~~

~~SA-08. GARTH CARTER, LMT Case # 2014-18475 PCP: Brooks/Phillips~~

~~Case continued for quorum.~~

C. Informal Hearings

~~IN-09. EDMUND JAMES SALON AND DAY SPA, INC. Case # 2021-18870 PCP: Phillips /
Groover-Skipper~~

~~Case continued for quorum.~~

D. Determination of Waivers

~~DW-10. MARIE M. JEANLIUS, LMT Case # 2019-52523 PCP: Wakeman/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 Dr. Phillips, which carried unanimously.~~

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

~~**Action Taken:** After discussion, Ms. Drago moved to reprimand the license, to impose an administrative fine in the amount of \$1,500.00, and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements within 12 months of the entry of the final order with aggravating factors on the record (A, D, E, G, H). Motion seconded by Dr. Phillips, which carried unanimously.~~

~~**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$1,462.19. Motion seconded by Dr. Phillips, which carried unanimously.~~

~~DW-11. MY DAY SPA, INC. Case # 2020-05177 PCP: Wakeman/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, to accept the findings of fact as set forth in the administrative complaint, and 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 a \$1,000.00 fine with aggravating factors on the record (length of time licensed, J, L, N). Motion seconded by Ms. Groover-Skipper, which carried unanimously.~~

~~**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$746.70. Motion seconded by Dr. Phillips, which carried unanimously.~~

II. ADMINISTRATIVE PROCEEDINGS

APPLICANTS IN ATTENDANCE

AD-13. Charles, Charisse Coelar

File # 104750

Applicant was present without counsel.

Applicant verbally withdrew her application on the record.

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

AD-14. Donadio, Gregory

File # 103536

Applicant was present without counsel.

Applicant verbally amended his application on the record.

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

AD-15. Endres, Skye O'Malley

File # 105809

Applicant was present without counsel.

Applicant verbally withdrew her application on the record.

AD-17. Forrest, Rene

File # 106022

Applicant was present without counsel.

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

AD-18. Friday, Tammie A

File # 106152

Applicant was present without counsel.

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

AD-19. Gala, Liliana

File # 105871

Applicant was present without counsel.

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

AD-20. Hamilton, Suzanne Marie

File # 38550

Applicant was present without counsel.

Action Taken: After discussion, Dr. Phillips moved to issue the licensed contingent on completion of continuing education of 10 hours of bloodborne pathogens which must include COVID protocols, 10 hours of manual therapy, 4 hours of professional ethics, and 1 hour of human trafficking awareness training within 60 days of the entry of the final order, and conditional on 10 hours of supervised practice within 60 days of the issuance of the license with authority delegated to the Executive Director to review course completion documentation and documentation of supervised practice. Motion seconded by Mr. Brooks, which carried 4/1 with Ms. Atkinson in opposition.

AD-22. Harris, Bethany Rae

File # 105837

Applicant was present without counsel.

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

RECESS: 11:15 / RECONVENE: 11:33

AD-25. Peyton, Sherretha Nicole

File # 104187

Applicant was present without counsel.

Applicant verbally amended her application on the record to disclose criminal history and a license held in Ohio.

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

AD-24. McLaughlin, Megan Siobanne

File # 105531

Applicant was present without counsel.

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

AD-26. Projansky, Greg P.

File # 106154

Applicant was present without counsel.

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

AD-27. Puckett, Perianne

File # 103988

Applicant was present without counsel.

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

AD-29. Tooker, Christine Lorena

File # 104580

Applicant was present without counsel.

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

AD-30. Walz, Holly Jennifer

File # 105793

Applicant was present without counsel.

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

AD-35. Wong, Sinyu

File # 104850

Applicant was present without counsel.

Applicant verbally withdrew her application on the record.

AD-37. Cleveland, Jennifer Lee

License # MA95265

Petitioner was present without counsel.

Action Taken: After discussion, Dr. Phillips moved to deny the petition for variance or waiver, as the board does not have the authority to waive statute. Motion seconded by Mr. Brooks, which carried unanimously.

AD-39. Perez, Jose Delores

File # 104926

Applicant was present without counsel.

Action Taken: After discussion, Mr. Brooks moved to reconsider the application. Motion seconded by Dr. Phillips, which carried 3/2 with Ms. Drago and Ms. Wakeman in opposition.

AD-40. Murad, Michael

File # 105005

Applicant was present without counsel.

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

A. Applicants with Foreign Education

AD-12. Salazar, Dayron Sellera

File # 105045

Applicant was not present.

Action Taken: After discussion, Mr. Brooks moved that the education presented was not equivalent to what is required for licensing in Florida. Motion seconded by Dr. Phillips, which carried unanimously.

B. Applicants with History

AD-13. Charles, Charisse Coelar

File # 104750

Item was heard earlier in the meeting.

~~AD-14. Donadio, Gregory~~ File # 103536

Item was heard earlier in the meeting.

~~AD-15. Endres, Skye O'Malley~~ File # 105809

Item was heard earlier in the meeting.

AD-16. Farr, Georgia File # 94411

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to issue the license conditioned on a \$1,000.00 fine and the completion of a 10-hour Florida Laws and Rules course. Motion seconded by Mr. Brooks. Which carried unanimously.

~~AD-17. Forrest, Rene~~ File # 106022

Item was heard earlier in the meeting.

~~AD-18. Friday, Tammie A~~ File # 106152

Item was heard earlier in the meeting.

~~AD-19. Gala, Liliana~~ File # 105871

Item was heard earlier in the meeting.

~~AD-20. Hamilton, Suzanne Marie~~ File # 38550

Item was heard earlier in the meeting.

AD-21. Han, Chunnu File # 106098

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to deny the application for prior criminal history. Motion seconded by Mr. Brooks, which carried unanimously.

~~AD-22. Harris, Bethany Rae~~ File # 105837

Item was heard earlier in the meeting.

AD-23. Liang, Xuelian File # 106173

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to deny the application for prior criminal history related to the practice of massage therapy. Motion seconded by Ms. Drago, which carried unanimously.

AD-24. McLaughlin, Megan Siobanne File # 105531

Item was heard earlier in the meeting.

AD-25. Peyton, Sherretha Nicole File # 104187

Item was heard earlier in the meeting.

AD-26. Projansky, Greg P. File # 106154

Item was heard earlier in the meeting.

AD-27. Puckett, Perianne File # 103988

Item was heard earlier in the meeting.

AD-29. Tooker, Christine Lorena File # 104580

Item was heard earlier in the meeting.

AD-30. Walz, Holly Jennifer File # 105793

Item was heard earlier in the meeting.

AD-31. Yue, Ping File # 104349

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to deny the application for prior discipline in Oregon. Motion seconded by Ms. Drago, which carried unanimously.

AD-28. Sanchez Guzman, Cynthia File # 106074

Applicant was not present.

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

C. Applicants with Education Discrepancy

AD-32. Chen, Haiyan File # 104813

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to deny the application, as the education did not meet the requirements of 64B7-32.003(1)(c), F.A.C. Motion seconded by Mr. Brooks, which carried unanimously.

AD-33. Ma, Li

File # 106010

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to deny the application, as the education did not meet the requirements of 64B7-32.003(1)(c), F.A.C. Motion seconded by Mr. Brooks, which carried unanimously.

AD-34. Sun, Xiaoyan

File # 105805

Applicant was not present.

Action Taken: After discussion, Dr. Phillips moved to deny the application, as the education does not meet the requirements of 64B7-32.003(1)(c), F.A.C., and that the proof of graduation did not meet the requirements of 64B7-32.002(1)(d), F.A.C. Motion seconded by Mr. Brooks, which carried unanimously.

~~AD-35. Wong, Sinyu~~

~~File # 104850~~

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

~~AD-37. Cleveland, Jennifer Lee~~

~~License # MA95265~~

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

~~AD-39. Perez, Jose Delores~~

~~File # 104926~~

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

~~AD-40. Murad, Michael~~

~~File # 105005~~

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

D. Petitions for Declaratory Statement

AD-36. Alvarez, Amanda

License # MA43470

Petitioner was not present.

Action Taken: After discussion, Mr. Brooks moved to issue a declaratory statement stating that fat reduction treatments, as described by the Petitioner, are out of the scope of practice of massage therapists. Motion seconded by Dr. Phillips, which carried unanimously.

E. Petitions for Variance or Waiver

~~AD-37. Cleveland, Jennifer Lee~~

~~License # MA95265~~

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

AD-38. Villar, Jessie

License # MA92409

Petitioner was not present.

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

F. Request for Reconsideration

AD-39. Perez, Jose Delores

File # 104926

Item was heard earlier in the meeting.

G. Required Appearance

AD-40. Murad, Michael

File # 105005

Item was heard earlier in the meeting.

III. GENERAL BUSINESS DISCUSSION

A. OLD BUSINESS

B. NEW BUSINESS

Annual Delegation of Authority (2022)

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

IV. ADJOURN

INFORMATIONAL