



## General Business Meeting

January 27-28, 2022  
9:00am E.S.T.

Guy Harvey Resort St. Augustine  
860 A1A Beach Blvd St  
St. Augustine, FL 32080

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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*  
Victoria Drago, LMT  
Jennifer Wakeman, LMT  
Gerald Padgett, LMT  
Sandra Atkinson, LMT  
Robin Miller, *Consumer Member*  
Dotti Groover-Skipper, *Consumer Member*

## BOARD COUNSEL

Diane Guillemette, Esq., *Assistant Attorney General*

## STAFF PRESENT

Joe Baker, Jr., *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

**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/>

## Respondents in Attendance

**DW-30. Yahil Suarez Oliva, L.M.T.**

**Case # 2021-06377**

**PCP: Wakeman/Whitridge**

Respondent was in attendance with Counsel, Sarah Maya, Esq. Mr. Pietrylo represented the Department and presented the case to the board.

**Action Taken:** After discussion, Mr. Brooks moved that the Respondent was properly served pursuant to Section 120.60(5), F.S. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved that the Respondent has not waived their right to a formal hearing. Motion seconded by Ms. Atkinson, which carried unanimously.

**RECESS 9:55 am / RECONVENE 10:05 am**

*RO-08 and RO-09 were taken together as related cases.*

**RO-08. Terrence Grywinski, L.M.T.**

**Case # 2019-39386**

**PCP: Phillips/Whitridge**

**RO-09. Terrence Grywinski Massage**

**Case # 2019-39761**

**PCP: Phillips/Whitridge**

Respondent's counsel, Lance Leider, Esq., was present. Ms. Hart represented the Department and presented the case to the Board.

**Action Taken:** After discussion, Mr. Brooks moved to accept the findings of fact and conclusions of law in the Recommended Order and dismiss the case. Motion seconded by Ms. Wakeman, which carried unanimously.

**VR-03. Alan Joseph McCullough, L.M.T.**

**Case # 2020-33735**

**PCP: Brooks/Whitridge**

Respondent's counsel, Lance Leider, Esq., was present.

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

**SA-06. Concetta Tiffany Didiano, L.M.T.**

**Case # 2018-29078**

**PCP: Brooks/Whitridge**

Respondent's counsel, Lance Leider, Esq., was present. Ms. Drago recused herself on the record.

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

**IN-22. Golden Spa, Inc.**

**Case # 2020-31453**

**PCP: Brooks/Whitridge**

Respondent Xiang Zia (owner) was present without counsel. 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 requested an informal hearing and to accept the findings of fact as set forth in the administrative complaint. Motion seconded by Ms. Drago, which carried unanimously.

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

**Action Taken:** After discussion, Ms. Wakeman moved to reprimand the license, to impose an administrative fine in the amount of \$1,000.00 to be paid within 90 days of the entry of the final order,

and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements to be completed within 90 days of the entry of the final Order. Motion seconded by Ms. Miller, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$1,102.29. Motion seconded by Mr. Padgett, which carried unanimously.

**DW-32. Hua Zhang, L.M.T.**

**Case # 2019-05386**

**PCP: Drago/Wakeman**

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

**Action Taken:** After discussion, Mr. Brooks moved to revoke the license and to impose an administrative fine in the amount of \$1,150.00. Motion seconded by Ms. Atkinson, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$260.36. Motion seconded by Ms. Atkinson, which carried unanimously.

**DW-36. Health Footprint Spa, LLC**

**Case # 2020-32036**

**PCP: Brooks/Whitridge**

Respondent's counsel, Mr. Cassidy, Esq., was 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 Ms. Drago, which carried 5/1 with Ms. Atkinson in opposition.

**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. Miller, which carried unanimously.

**Action Taken:** After discussion, Ms. Drago moved to reprimand the license and to impose an administrative fine in the amount of \$1,000. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$655.07. Motion seconded by Ms. Atkinson, which carried unanimously.

## **I. DISCIPLINARY PROCEEDINGS**

### **A. Voluntary Relinquishments**

**VR-01. Chu Yu Zhu, L.M.T.**

**Case # 2015-21537**

**PCP: Havard/Whitridge**

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

**VR-02. Vladislav Nikolaevich Dunaev, L.M.T. Case # 2020-23338 PCP: Phillips/Groover-Skipper**

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

~~**VR-03. Alan Joseph McCullough, L.M.T. Case # 2020-33735 PCP: Brooks/Whitridge**~~

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

**VR-04. Hello Spa Case # 2021-26396 PCP: Drago/Wakeman**

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

***Respondent was present and identified himself as the owner.***

**Action Taken:** After discussion, Mr. Brooks moved to reopen case 2021-26396. Motion seconded by Mr. Padgett, which carried unanimously.

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

## **B. Settlement Agreements**

**SA-05. New Life 168, Inc. Case # 2019-54910 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 settlement agreement. Motion seconded by Ms. Drago, which carried unanimously.

**Costs:** \$1,250.00

~~**SA-06. Concetta Tiffany Didiano, L.M.T. Case # 2018-29078 PCP: Brooks/Whitridge**~~

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

**SA-07. Garth Carter, L.M.T. Case # 2014-18475 PCP: Brooks/Phillips**

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

**Costs:** \$1,600.00

### C. Recommended Orders

~~RO-08. Terrence Grywinski, L.M.T. Case # 2019-39386 PCP: Phillips/Whitridge~~

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

~~RO-09. Terrence Grywinski Massage Case # 2019-39761 PCP: Phillips/Whitridge~~

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

### D. Informal Hearings

IN-10. Shanzi Jiang, L.M.T. Case # 2014-21628 PCP: Havard/Burke-Wammack

Continued at the request of the Respondent.

IN-11. Body by Mar Case # 2020-02324 PCP: Phillips/Burke-Wammack

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Wakeman moved to reprimand the license and to impose an administrative fine in the amount of \$1,000.00 to be paid within 90 days of the entry of the Final Order. Motion seconded by Mr. Brooks, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$ 843.06. Motion seconded by Ms. Wakeman, which carried unanimously.

IN-12. Paula Stanley (MM) Case # 2020-18421 PCP: Groover-Skipper/Phillips

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

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

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$649.15. Motion seconded by Mr. Padgett, which carried unanimously.

IN-13. Bianniris Tejada, L.M.T. Case # 2017-21686 PCP: Wakeman/Whitridge

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

**Action Taken:** After discussion, Mr. Brooks moved to accept the investigative report into evidence for the purpose of imposing discipline, to find that the respondent was properly served and requested an informal hearing to accept the findings of fact as set forth in the administrative complaint, to accept the

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

**Action Taken:** After discussion, Ms. Miller moved to revoke the license with aggravating factors on the record (prior discipline, deterrent effect, rehabilitation). Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$283.76. Motion seconded by Ms. Miller, which carried unanimously.

**IN-14. Sheng, LLC**

**Case # 2020-01834**

**PCP: Wakeman/Whitridge**

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Mr. Brooks moved to reprimand the license and to impose an administrative fine in the amount of \$1,000.00. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$1,112.07. Motion seconded by Ms. Groover-Skipper, which carried unanimously.

**IN-15. Cherie Lariviere**

**Case # 2019-47865**

**PCP: Wakeman/Whitridge**

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Mr. Brooks moved to reprimand the license and impose an administrative fine in the amount of \$500.00. Motion seconded by Ms. Drago, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$236.79. Motion seconded by Ms. Miller, which carried unanimously.

**RECESS 11:50 am / RECONVENE 1:18 pm**

**IN-16. Jesus R. Baca, L.M.T.****Case # 2021-04720****PCP: Wakeman/Whitridge**

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Mr. Brooks 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 Mr. Padgett, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$1,598.53. Motion seconded by Ms. Drago, which carried unanimously.

**IN-17. Antonio Restrepo, L.M.T.****Case # 2020-30741****PCP: Brooks/Drago**

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$2488.40 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

**IN-18. Kaitlyn M. Sullivan, L.M.T.****Case # 2019-04465****PCP: Brooks/Drago**

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Mr. Padgett moved to reprimand the license, 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, and to require a 10-hour Florida Laws and Rules course to be completed above and beyond renewal requirements to be completed within 1 year of the entry of the final order. Motion seconded by Ms. Wakeman, which carried 3/2 with Ms. Miller and Ms. Atkinson in opposition.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$951.62 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Miller, which carried unanimously.

**IN-19. Madison Farruggia, L.M.T.****Case # 2020-14117****PCP: Brooks/Whitridge**

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

**Action Taken:** After discussion, Ms. Drago moved to reprimand the fine, 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 Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$606.88 to be paid within 1 year of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

**IN-20. Yan Fang Huang, L.M.T.****Case # 2020-24598****PCP: Brooks/Whitridge**

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

**Action Taken:** After discussion, Ms. Drago moved to reprimand the license and to impose an administrative fine in the amount of \$2,500.00. Motion seconded by Ms. Miller, which carried unanimously.

**Action Taken:** After discussion, Ms. Drago moved to assess costs in the amount of \$842.73. Motion seconded by Ms. Wakeman, which carried unanimously.

**IN-21. Lin & Yu, LLC****Case # 2020-38417****PCP: Brooks/Whitridge**

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

**Action Taken:** After discussion, Ms. Drago moved to reprimand the license and to impose an administrative fine in the amount of \$500.00. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Ms. Drago moved to assess costs in the amount of \$736.13. Motion seconded by Ms. Wakeman, which carried unanimously.



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

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Ms. Wakeman moved to reprimand the license and to impose an administrative fine in the amount of \$250.00. Motion seconded by Mr. Padgett, which carried 4/1 with Ms Miller in opposition.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$18.93. Motion seconded by Ms. Atkinson, which carried unanimously.

~~Continued at the request of the Respondent.~~

### E. Determination of Waiver

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

**Action Taken:** After discussion, Mr. Brooks moved to reprimand the license and to impose an administrative fine in the amount of \$2,500.00 with aggravating factors on the record (deterrent effect, danger to the public). Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$859.93 to be paid within 90 days of the entry of the final order. Motion seconded by Ms. Drago, which carried unanimously.

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

**Action Taken:** After discussion, Ms. Wakeman moved to reprimand the license and to impose an administrative fine in the amount of \$1,000.00. Motion seconded by Ms. Miller, which 5/1 with Ms. Atkinson in opposition.

**Action Taken:** After discussion, Ms. Wakeman moved to assess costs in the amount of \$502.39. Motion seconded by Mr. Padgett, which carried 5/1 with Ms. Atkinson in opposition.

**RECESS: 2:37 pm / RECONVENE: 2:48 pm**

**DW-27. Good Time Spa, Inc.**

**Case # 2019-50297**

**PCP: Wakeman/Whitridge**

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Mr. Brooks moved to reprimand the license and impose an administrative fine in the amount of \$2,500.00. Motion seconded by Ms. Drago, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$952.30. Motion seconded by Mr. Padgett, which carried unanimously.

**DW-28. Jian Zeng, L.M.T.**

**Case # 2019-47939**

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

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

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$79.34. Motion seconded by Ms. Drago, which carried unanimously.

**DW-29. My Day Spa, Inc.**

**Case # 2020-05177**

**PCP: Wakeman/Whitridge**

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

**DW-30. Yahil Suarez Oliva, L.M.T.**

**Case # 2021-06377**

**PCP: Wakeman/Whitridge**

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

**DW-31. Amazing Feat Spa, Inc.**

**Case # 2020-05501**

**PCP: Wakeman/Whitridge**

**Continued at the request of the Respondent.**

~~DW-32. Hua Zhang, L.M.T. Case # 2019-05386 PCP: Drago/Wakeman~~

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

**DW-33. Brandy N. Thornton, L.M.T. Case # 2018-21918 PCP: Drago/Spasoff**

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

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

**Action Taken:** After discussion, Mr. Brooks moved to revoke the license and to impose an administrative fine in the amount of \$2,500.00. Motion seconded by Mr. Padgett, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved to assess costs in the amount of \$1,985.71. Motion seconded by Ms. Wakeman, which carried unanimously.

**DW-34. Jesse Crocker, L.M.T. Case # 2021-18138 PCP: Groover-Skipper/Phillips**

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Mr. Brooks 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, Mr. Brooks moved to assess costs in the amount of \$1,143.29. Motion seconded by Ms. Wakeman, which carried unanimously.

~~DW-35. Travis J. France, L.M.T. Case # 2019-39050 PCP: Brooks/Whitridge~~

~~Continued at the request of the respondent.~~

~~DW-36. Health Footprint Spa, LLC Case # 2020-32036 PCP: Brooks/Whitridge~~

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

Respondent was not present. Mr. Pietrylo represented the Department and presented the case to the board.

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

**Action Taken:** After discussion, Ms. Drago 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 \$2,191.88. Motion seconded by Mr. Padgett, which carried unanimously.

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

**Action Taken:** After discussion, Mr. Padgett moved to reprimand the license and to impose an administrative fine in the amount of \$1,000.00. Motion seconded by Ms. Drago, which carried 4/1 with Ms. Miller in opposition.

**Action Taken:** After discussion, Ms. Drago moved to assess costs in the amount of \$260.36. Motion seconded by Mr. Padgett, which carried unanimously.

## II. REPORTS

### A. Prosecutor's Report

Mr. Pietrylo made a presentation to the board concerning emergency actions.

**Action Taken:** After discussion, Mr. Brooks moved to direct Prosecution Services to continue prosecuting year and older cases. Motion seconded by Ms. Drago, which carried unanimously.

### B. Review and Approval of Minutes

Nothing at this time.

### C. Board Chair Report

Mr. Brooks welcomed the new members of the board, and thanked Dr. Phillips and Mr. Whitridge for their continued service on Probable Cause Panels.

Mr. Brooks acknowledged attendees of the meeting.

#### **D. Board Vice-Chair Report**

The vice-chair position is vacant pending elections. The Board acknowledged the former chair, Dr. Phillips and her service as the former vice-chair.

#### **E. Board Counsel Report**

**January 2022 Rules Report**

**February 2022 Rules Report**

#### **F. Executive Director's Report**

**Ratification of Licensure (10-08-2021 – 01-10-2021)**

**Action Taken:** After discussion, Mr. Brooks moved to ratify the licenses as presented. Motion seconded by Ms. Miller, which carried unanimously.

#### **G. Education Programs Liaison Report**

The position is vacant; pending elections.

#### **H. Legislation and Rules Report**

Nothing at this time.

#### **I. Budget Liaison Report**

Nothing at this time.

#### **J. Unlicensed Activity / HT Awareness Liaisons Report**

Ms. Groover-Skipper opened discussion concerning legislative recommendations.

#### **K. Public Relations Liaison / FSTMB Delegate**

Ms. Drago provided updates concerning her school visitation schedule and provided some additional information concerning the FSMTB. She provided information about the FSMTB town hall.

**RECESS: 4:33pm**

F. Motion to Set Aside Final Order

OM-39. Li Ming Zou, L.M.T.

Case # 2019-50769

PCP: Wakeman/Whitridge

Respondent was present with counsel, Ms. Judy Gallagher, Esq.

**Action Taken:** After discussion, Ms. Drago moved to deny the motion to set aside final order. Motion seconded by Ms. Atkinson, which carried 6/1 with Ms. Miller in opposition.

**III. ADMINISTRATIVE PROCEEDINGS**

A. Petition for Informal Hearing

AD-40. Susan Elizabeth Switzer

File # 105313

Applicant was present with counsel, Mr. Kevin Griffith, Esq.

*Ms. Groover-Skipper recused herself on the record.*

**Action Taken:** After discussion, Ms. Wakeman moved to uphold the Notice of Intent to Deny. Motion seconded by Mr. Brooks, which carried unanimously.

Applicants in Attendance

AD-48. Colton William Chapman

File # 106579

Applicant was present without counsel. Ms. Susan Farhat attended to provide a character reference for the applicant.

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

AD-47. Christopher A. Brooks

File # 106540

Applicant was present without counsel.

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

AD-57. Ebony Wilson

File # 106617

Applicant was present without counsel.

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

AD-63. Gainesville School of Medical Massage

Applicant was present without Counsel.

**Action Taken:** After discussion, Ms. Miller moved to approve the school and course of study. Motion seconded by Ms. Drago, which carried unanimously.

**RECESS: 10:37am / RECONVENE: 10:42 am**

## **B. Request to Withdraw / Motion to Vacate**

**AD-41. Brooke L. Caldwell**

**File # 105313**

Applicant was not present.

**Action Taken:** After discussion, Mr. Brooks moved to allow the withdrawal of the application and vacate the Notice of Intent to Deny. Motion seconded by Ms. Drago, which carried unanimously.

## **C. Petitions for Variance or Waiver**

**AD-42. Adam M. Flores**

**File # 610 (Apprentice)**

Petitioner was not present.

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

**AD-43. Kimberly Krost**

**(no file)**

Petitioner was not present.

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

**AD-44. Sharon Phillips-South**

**File # 106197**

**Action Taken:** After discussion, Ms. Wakeman moved to deny the petition for variance or waiver because the requirement for examination is statutory. Motion seconded by Mr. Padgett, which carried unanimously.

## **D. Applicants with Foreign Education**

**AD-45. Cherie Marlize Lots**

**File # 106679**

**Action Taken:** After discussion, Mr. Brooks moved that the education evaluation does not state with particularity the completion of education equivalent to or exceeding that which is required for licensure in Florida. Motion seconded by Ms. Drago, which carried unanimously.

**AD-46. Aubrey Tope**

**File # 105130**

**Action Taken:** After discussion, Ms. Wakeman moved that the education evaluation does not demonstrate completion of education equivalent to or exceeding that which is required for licensure in Florida. Motion seconded by Mr. Brooks, which carried unanimously.

## E. Applicants with History

~~AD-47. Christopher A. Brooks~~ ~~File # 106540~~

This item was heard earlier in the meeting.

~~AD-48. Colton William Chapman~~ ~~File # 106579~~

This item was heard earlier in the meeting.

**AD-49. Thomas Defile** **File # 106202**

Applicant was not present.

**Action Taken:** After discussion, Ms. Wakeman moved to deny the license with the option to withdraw within 15 days of receipt of the Notice of Intent to Deny. Motion seconded by Ms. Drago, which carried unanimously.

**AD-50. Shelley Mylayn Freeman** **File # 105353**

Applicant was not present.

**Action Taken:** After discussion,

**AD-51. Aja Magenta Longton** **File # 104945**

Applicant was not present.

**Action Taken:** After discussion, Mr. Brooks moved to grant the license contingent upon submission of proof of completion of Florida Laws and Rules. Motion seconded by Ms. Miller, which carried unanimously.

**AD-52. Jessica Mathis** **File # 104914**

Applicant was not present.

**Action Taken:** After discussion, Mr. Brooks moved to issue the license contingent on receipt of documentation demonstrating completion of the required laws and rules course. Motion seconded by Ms. Wakeman, which carried unanimously.

**AD-53. Reyna Ortiz** **File # 105988**

Applicant was not present:

**Action Taken:** After discussion, Ms. Wakeman moved to deny the license for crimes related to the practice. Motion seconded by Ms. Miller, which carried unanimously.

**AD-54. Stephanie Soleau Silva** **File # 106318**

Applicant was not present.

**Action Taken:** After discussion, Mr. Brooks moved to issue the license contingent on receipt of documentation demonstrating completion of the required laws and rules course. Motion seconded by Mr. Padgett, which carried unanimously.



**AD-55. Guiyu Tudela**

**File # 98633**

Applicant was not present.

**Action Taken:** After discussion, Ms. Wakeman moved to require the appearance of the applicant. Motion seconded by Ms. Miller, which carried unanimously.

**AD-55. Chandra Jean Weisenberger**

**File # 106172**

Applicant was not present.

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

~~**AD-57. Ebony Wilson**~~

~~**File # 106617**~~

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

**F. Applicants with Education Discrepancy**

**AD-58. Lihua Guo**

**File # 106073**

Applicant was not present.

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

**AD-59. Dongli Rowland**

**File # 106423**

Applicant was not present.

**Action Taken:** After discussion, Ms. Wakeman moved to deny the license, as the education presented does not meet the minimum proof of graduation requirements of 64B7-32, F.A.C. Motion seconded by Mr. Brooks, which carried unanimously.

**AD-60. Xue Yin**

**File # 106487**

Applicant was not present.

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

**AD-61. Rongzhen Zhao**

**File # 106808**

Applicant was not present.

**Action Taken:** After discussion, Ms. Wakeman moved to deny the license, as the education presented does not meet the minimum proof of graduation requirements of 64B7-32, F.A.C. Motion seconded by Ms. Miller, which carried unanimously.

Applicant was not present.

**Action Taken:** After discussion, Ms. Wakeman moved to deny the license, as the education presented does not meet the minimum proof of graduation requirements of 64B7-32, F.A.C. Motion seconded by Ms. Miller, which carried unanimously.

## F. Board-approved Massage Programs

### ~~AD-63. Gainesville School of Medical Massage~~

This item was heard earlier in the meeting.

### AD-64. Professional Career School

Applicant was not present.

**Action Taken:** After discussion, Ms. Wakeman moved to deny the application, as the documentation submitted does not demonstrate that the proposed course of study in massage therapy meets the minimum standards of 64B7-32, F.A.C. Motion seconded by Ms. Miller, which carried unanimously.

## IV. RULES DISCUSSION

### A. 64B7-26.004 – JAPC Letter and Response

Ms. Guillemette presented the JAPC letter and proposed rule change, to include the inspection requirements for change of location and initial establishment applications.

**Action Taken:** After discussion, Ms. Wakeman moved to approve the proposed rule. Motion seconded by Mr. Padgett, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved that the proposed rule would not have a fiscal impact on small business or regulatory cost in the amount of \$250,00.00 in the aggregate within 2 years. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Mr. Brooks moved that no part of the proposed rule should be considered a minor violation. Motion seconded by Ms. Wakeman, which carried unanimously.

**Action Taken:** After discussion, Ms. Wakeman moved that no part of the proposed rule should sunset. Motion seconded by Ms. Drago, which carried unanimously.

## **V. GENERAL BUSINESS DISCUSSION**

### **A. OLD BUSINESS**

Dr. Phillips provided additional commentary concerning protected health information and HIPPA.

### **B. NEW BUSINESS**

#### **Election of Chair, Vice-Chair**

Ms. Wakeman nominated Mr. Brooks for chair. Mr. Brooks accepted the nomination; no other nominations were made. Mr. Brooks was elected chair unanimously.

Mr. Brooks nominated Ms. Wakeman for vice-chair. Ms. Wakeman accepted the nomination; no other nominations were made. Ms. Wakeman was elected vice-chair unanimously.

#### **Appointment of Liaisons**

After discussion, the Chair appointed liaisons to the following areas:

Mr. Padgett	Education (Schools/CE)
Ms. Drago	Education (CE)
Mr. Brooks	Education (CE)
Ms. Miller	Legislation and Rules
Mr. Brooks	Budget
Ms. Groover-Skipper	ULA/HT Awareness (HT courses)
Ms. Wakeman	ULA/HT Awareness (HT courses)
Ms. Drago	Public Relations/FSMTB Delegate

#### **Annual Delegation of Authority (2022)**

The annual delegation of authority was provided to the Board; Mr. Brooks remained chair. No additional action was taken.

## **VIII. ADJOURN**

## **INFORMATIONAL**