

**DEPARTMENT OF HEALTH  
ELECTROLYSIS COUNCIL  
GENERAL BUSINESS MEETING MINUTES  
December 05, 2011  
9:00 a.m. EST**

**CONFERENCE CALL  
1-888-808-6959**

When prompted, enter the following conference code  
number: **4246812343**, followed by the “#” sign.

MEMBERS PRESENT  
Shelby Owens, Chair  
James Scott, Vice Chair  
M. Margaret Haley  
Audra Kinney

STAFF PRESENT  
Allen Hall, Executive Director  
Anna King, Program Operations Administrator  
Greg Ramer, Regulatory Specialist II  
Whitney Bowen, Board of Medicine Representative

ASSISTANT ATTORNEY GENERAL  
Lynette Norr

9:01 a.m. Call to Order – General Business Meeting

**ADMINISTRATIVE PROCEEDINGS**

**320 ELECTROLOGY PROGRAM**

**1. Beauty and Health Institute (600 hour program)**

Ms. Rita Kruse from Beauty and Health Institute was not present.

Beauty and Health Institute has submitted materials for approval of their 600 hour electrolysis training program for Florida. They are pending the council’s approval to complete their license requirement with the Commission for Independent Education.

Beauty and Health Institute has a current 320 hour electrology training program that was approved by the council on August 07, 2006.

**MOTION:** Ms. Shelby Owens moved to approve Beauty and Health Institute’s 600 hour electrology training materials. Mr. James Scott seconded the motion, which carried 4/0.

**30 LASER TRAINING PROGRAMS**

**2. National Laser Institute**

Mr. David Silberman from National Laser Institute was present.

National Laser Institute (NLI) was originally placed on the February 15, 2010, agenda for approval of their 30 hour laser training program. At the meeting the council voted to deny

their application sighting NLI's course did not comply with Rule 64B8-52.004(1)(b)(6)., F.A.C.

Subsequent to the February 15, 2010, meeting, NLI submitted a petition for variance and waiver of the rule referenced in the denial. The Florida Board of Medicine approved NLI's petition at their meeting on September 30, 2011 – October 01, 2011.

In light of their petition being granted, National Laser Institute's has submitted a new application for approval as a 30-hour laser provider.

**MOTION:** Mr. James Scott moved to accept National Laser Institute 30 hour laser training program materials. Ms. Audra Kinney seconded the motion, which carried 4/0.

After the vote, Mr. James Scott stated, for the record, the only reason they were voting in favor of National Laser Institute was because the Board of Medicine approved their petition for variance and waiver.

### **APPLICANT CERTIFICATION LISTS**

#### **3. Examination Applicants**

A total of seven (7) names were on the certification list.

**MOTION:** Mr. James Scott moved to accept the list of exam licensees. Ms. Audra Kinney seconded the motion, which carried 4/0.

### **RULES REVIEW AND DEVELOPMENT**

#### **4. Rule 64B8-53.002(1), F.A.C., Requirements for Electrolysis Training Programs Approved the Board**

Following the July 18, 2011 meeting, the Council Chair agreed to an informal survey of the currently approved 320-hour electrolysis training schools to obtain feedback and assure the Board of Medicine's Dietetics/Nutrition and Electrolysis Committee that its request to research the potential impact of the current rule development was fulfilled.

The 20 schools were provided with the enclosed notice and survey on October 31, 2011. The final date for response was November 14, 2011. Only a small percentage of the schools replied. The combined responses were provided for the Council's review.

**MOTION:** Ms. Shelby Owens moved that the proposed new language would not have an adverse impact on small business. Mr. James Scott seconded the motion, which carried 4/0.

**MOTION:** Ms Shelby Owens moved that the proposed rule amendments would not be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one year after the implementation of the rule. Mr. James Scott seconded the motion, which carried 4/0.

## RULES STATUS REPORT

### 5. Rules Report, Assistant Attorney General Lynette Flury

- 64B8-50.003 Delegation of Powers and Duties to Electrolysis Council

#### History

- Rule Development Published: N/A
- Council Approval: N/A
- Board Approval: N/A
- Notice Published: N/A
- Adopted: N/A
- Effective: 02/15/2010

Ms. Lynette Norr informed the council she did not see any discussion regarding this rule since becoming effective on February 15, 2010. She asked the council if she could remove this rule for the rule report. The council said it would be okay to remove the rule from the report.

- 64B8-51.001(1) Manner of Application

#### History

- Rule Development Published: 09/23/2011
- Council Approval: 02/07/2011
- Board Approval: 06/22/2011
- Notice Published: N/A
- Adopted: N/A
- Effective: N/A

- 64B8-51.006(2)(b) Rule Governing Licensure and Inspection of Electrolysis Facilities

#### History

- Rule Development Published: 09/30/2011
- Council Approval: 02/07/2011
- Board Approval: 06/22/2011
- Notice Published: N/A
- Adopted: N/A
- Effective: N/A

- 64B8-51.006(3)-(6) Rule Governing Licensure and Inspection of Electrolysis Facilities

#### History

- Rule Development Published: 01/15/2010
- Council Approval: 02/15/2010
- Board Approval: N/A
- Notice Published: N/A

- Adopted: N/A
- Effective: N/A

- 64B8-51.007(3)(4) Fees for Application, Examination, Examination Review and Initial Licensure

History

- Rule Development Published: 09/23/2011
- Council Approval: 05/02/2011
- Board Approval: 06/22/2011
- Notice Published: N/A
- Adopted: N/A
- Effective: N/A

- 64B8-52.003(2) Procedure for Approval of Attendance at Continuing Education Courses

History

- Rule Development Published: N/A
- Council Approval: 02/07/2011
- Board Approval: N/A
- Notice Published: N/A
- Adopted: N/A
- Effective: N/A

- 64B8-52.004(3) Requirements for Approval of Training Courses for Laser and Light-Based Hair Removal or Reduction

History

- Rule Development Published: N/A
- Council Approval: 10/03/2011
- Board Approval: N/A
- Notice Published: N/A
- Adopted: N/A
- Effective: N/A

- 64B8-53.002(1) Curriculum Standards for Electrolysis Training Programs

History

- Rule Development Published: N/A
- Council Approval: N/A
- Board Approval: N/A
- Notice Published: N/A
- Adopted: N/A
- Effective: N/A

- 64B8-54.002 Inactive and Retired Licensure Status

History

- Rule Development Published: N/A
  - Council Approval: 10/03/2011
  - Board Approval: N/A
  - Notice Published: N/A
  - Adopted: N/A
  - Effective: N/A
- 64B8-55.0021                      Discipline of Electrolysis Facilities

History

- Rule Development Published: N/A
- Council Approval: 02/07/2011
- Board Approval: 06/02/2011
- Notice Published: N/A
- Adopted: N/A
- Effective: N/A

- 64B8-55.002                      Citations

History

- Rule Development Published: N/A
- Council Approval: 10/03/2011
- Board Approval: N/A
- Notice Published: N/A
- Adopted: N/A
- Effective: N/A

- 64B8-56.002(2)(b)                      Equipment and Devices; Protocols for Laser and Light-Based Devices

History

- Rule Development Published: No
- Council Approval: 10/03/2011
- Board Approval: N/A
- Notice Published: N/A
- Adopted: N/A
- Effective: N/A

**MOTION:** Following an informal report on the Florida Board of Medicine Dietetics/Nutrition and Electrology Council's December 01, 2011, meeting by Ms. James Scott and Ms. Judy Adams, President of the Electrolysis Society of Florida; Mr. James Scott moved to drop the council's changes to Rule 64B8-56.002(2)(b), F.A.C. and keep the language as currently published. Ms. Shelby Owens seconded the motion, which carried 4/0.

- Executive Order Number 11-211

**MOTION:** Following Ms. Lynette Norr's explanation of the executive order, Ms. Shelby Owens moved for the council to keep the same schedule for submitted rules

for review to the Office of Fiscal Accountability and Regulatory Reform. Mr. James Scott seconded the motion, which carried 4/0.

## **OLD BUSINESS**

### **6. October 03, 2011, General Business Meeting Minutes**

**MOTION:** Mr. James Scott moved to approve the meeting minutes. Ms. Audra Kinney seconded the motion, which carried 4/0.

*Around 9:51 a.m. the conference call began experiencing feedback. The call was temporarily disconnected. Upon re-convening, the issue was resolved.*

## **OTHER BUSINESS AND INFORMATION**

### **7. September 30, 2011, Electrology/Dietetics & Nutrition Committee Minutes Disciplinary of Electrologist – Board of Medicine Ruling**

Informational Item

### **8. September 30 – October 01, 2011, Board of Medicine Minutes (excerpt)**

Informational Item

## **ADDITIONAL ITEM**

### **Universal Vocational Institute**

Universal Vocational Institute (UVI) submitted materials for approval of their 320 hour electrolysis training program for Florida at the October 03, 2011, meeting. At the meeting, the council voted to table UVI's materials so they could correct the following:

- Discrepancy between the hours in their program outline and syllabus for the following course: ELY 103, ELY 105, ELY 106, and ELY 107.
- The instructional materials were not acceptable to teach electrology.

On December 02, 2011, Universal Vocational Institute provided the updates requested by the council.

**MOTION:** Mr. James Scott moved to accept Universal Vocational Institute's 320 hour electrology training program materials provided they correct their reference to the Department of Professional Regulation to Department of Health. Ms. Audra Kinney seconded the motion, which carried 4/0.

## **ADJOURNMENT**

**MOTION:** Ms. Margaret Haley moved to adjourn the meeting at 9:55 a.m. Ms. Shelby Owens seconded the motion, which carried 4/0.