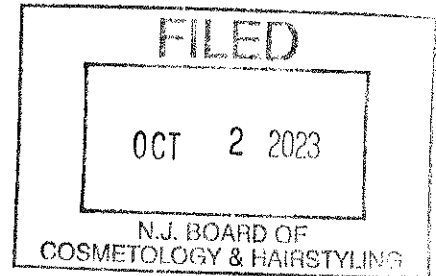
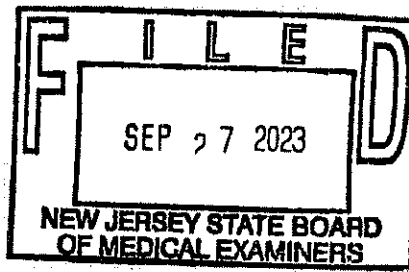


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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS
STATE BOARD OF COSMETOLOGY AND
HAIRSTYLING

IN THE MATTER OF THE UNLICENSED
PRACTICE OF MEDICINE AND, THE SKIN
CARE SPECIALIST LICENSE OF

CAROLINA NUNEZ D/B/A
CAROLINA NUNEZ SKINCARE
License #32WC00509300

Administrative Action

FINAL CONSENT ORDER

This matter was opened to the New Jersey State Board of Medical Examiners and the State Board of Cosmetology and Hairstyling (the "Boards") upon receipt of information alleging that Carolina Nunez ("Respondent") exceeded the scope of her professional license and engaged in the unlicensed practice of medicine. Respondent is not a licensed physician, but previously held expired license number 32WC00509300 with the New Jersey Board of Cosmetology and

CERTIFIED TRUE COPY

Hairstyling as a Skin Care Specialist. Respondent was the owner and operator of Carolina Nunez Skincare located at 1890 Morris Avenue, Union, New Jersey, which is currently closed.

On April 8, 2022, the Enforcement Bureau ("EB") investigators conducted an inspection of Carolina Nunez Skincare. In the shop, which had been enlarged without notifying the Board of Cosmetology, investigators observed and photographed injectable drugs, including epinephrine, xylocaine 2%, Kenacort 10 ml and hyaluronic acid as well cases containing hypodermic needles and syringes. In addition, investigators found blood collection kits with vials and a sharps container filled with used needles. A microblading machine and other equipment, such as a tattoo needling pen, pigments and calipers, were located on the premises.

A review of customer service records revealed that "lipo laser" services and laser hair removal services, which exceed the scope of a valid cosmetology practice, were being performed. Records also showed that the business was performing platelet rich plasma ("PRP") injection treatment, botox injections, permanent makeup services, which both exceed the scope of a cosmetology license and constitute the practice of medicine.

During the inspection, investigators contacted the Union Township Health and Zoning Department. The responding investigator removed the shop's certificate of occupancy for exceeding the scope of practice and closed the location pending further action by the township.

On August 23, 2022, Respondent appeared and testified before members of the Boards with her counsel to answer questions about her business. Respondent acknowledged that although her office in Union had been closed since April 8, 2022, when the certificate of occupancy was removed, her business website was still operational and still advertising services such as facial injections and massages.

Respondent represented that she had "co-work[ed] with a doctor" from whom she would receive and sends referrals, but denied that there was any exchange of money for the referrals. She clarified that the New York--based physician never actually treated any clients in her New Jersey office. She also identified a nurse whom she indicated worked for Carolina Nunez Skincare, but the nurse's name could not be verified as a current licensee with the Board of Nursing.

Respondent admitted that her business offered facial fillers, but stated that the service was performed by the physician with whom she worked. However, the physician, under oath, denied that he ever administered facial fillers or muscle blocking medications to any of Respondent's clients. When asked about the syringes, hypodermic needles, blood collection kits and the sharps container found in her office, Respondent claimed that the supplies belonged to Aymen Shahine, a physician with whom she had previously worked, but whose medical license had been revoked in 2019 and whom she had not seen in several years.

Respondent denied having received any training in how to perform massage services and stated that those services were performed by a licensed massage therapist who worked as an independent contractor at her business. Although initially Respondent stated that the massage therapist performed lymphatic drainage massage, she then denied that the therapist offered that type of massage.

Multiple services which Respondent's business advertised and performed constitute the practice of medicine and/or exceed the scope of Respondent's skin care specialist license. These services include: micropigmentation/ microblading, injection of facial fillers and muscle blockers, PRP facials, and laser hair removal, in violation of N.J.A.C. 13:28-2.15(b)(2), (7), (8), (11). Although Respondent represented that a physician performed the PRP facials and

administered the facial fillers, she admitted that neither the physician's name nor credentials appear anywhere on her website. Moreover, the physician denied rendering any such services. Thus, Respondent's advertisement misrepresented the scope of her license's authority and/or who would be performing these services, in violation of N.J.S.A. 45:5B-13.

Respondent's advertising and provision of services, including medical treatment, as described above constitutes the unlicensed practice of medicine in violation of N.J.S.A. 45:1-18.2.

Further, Respondent's provision of body contouring services, her business' practice of providing lymphatic drainage massages, and her use of syringes as well as a hyaluronic pen, which is not FDA approved, demonstrates that Respondent engaged in the unlicensed practice of medicine in violation of N.J.S.A. 45:9-22, N.J.A.C. 13:35-1.5 and punishable under N.J.S.A. 45:1-18.2. The Board has deemed unlicensed practice to constitute professional misconduct violating N.J.S.A. 45:1-21(e).

Respondent's performance of micropigmentation and/or microblading services, laser hair removal and laser liposuction demonstrate that she exceeded the scope of her skin care license as each of the aforementioned services all constitute prohibited practices exceeding the scope of Cosmetology and Hairstyling. N.J.A.C. 13:28-2.15(b)(2),(7),(8),(11). Additionally, facial fillers and PRP facials involve performing injections and exceed the scope of cosmetology practice. N.J.A.C. 13:28-2.15(b)(2),(7),(8),(11). N.J.A.C. 13:28-2.15(b)(2),(7). Thus, Respondent's advertising that such services were offered either misrepresented the scope of Respondent's practice under her skin care specialist license and/or misrepresented who would be performing these services where the medical doctor's information was omitted from the advertisement in violation of N.J.S.A. 45:5B-7 and N.J.S.A. 1:1-21(b). Finally, Respondent

offered cosmetology services in a business that was not Board-licensed, in violation of N.J.S.A. 45:5B-8 and N.J.S.A. 45:5B-12(g). Thus, the Board deems Respondent's practice outside the scope of her skin care license, misrepresentation of the scope of her license and/or who would be performing services, and the performance of such services in an unlicensed shop to constitute a violation of Board regulations, misrepresentation, and professional misconduct in violation of N.J.S.A. 45:1-21(b), (e), and (h), and unlawful practice in violation of N.J.A.C. 13:28-2.15(b).

The parties, desiring to resolve this matter without the need for a hearing, and it appearing that Respondent has read the terms of the within Final Consent Order and understands their meaning and effect and consents to be bound by same, and the Boards finding that the within disposition adequately protects the public health, safety and welfare, and for good cause shown,

IT IS, therefore, on this 28th day of September, 2023

ORDERED THAT:

1. Respondent shall cease and desist from the advertising, offering for sale and provision of any and all medical services at 1890 Morris Avenue, Union, New Jersey or any other location in New Jersey. The provision of medical services includes, but is not limited to the use of any needles, syringes, lancets, and the administration of any medications, including lidocaine.
2. Respondent is assessed a civil penalty by the Board of Medical Examiners in the amount of \$20,000 pursuant to N.J.S.A. 45:1-25.
3. Respondent is assessed a civil penalty by the Board of Cosmetology and Hairstyling in the amount of \$2,500 for professional misconduct in violation of N.J.S.A. 45:1-

21(e), misrepresentation in violation of 45:1-21(b), and for engaging in unlawful practice in violation of 45:1-21(h) and N.J.A.C. 13:28-2.15(b).

4. Respondent shall pay the aggregate penalty of \$22,500. Certificates of Debt reflecting the amounts currently due and owing to each Board shall be filed pursuant to N.J.S.A. 45:1-24 to protect the judgment.

5. In addition, but not in lieu of the filing of the Certificate of Debt, the Board of Medical Examiners will allow the penalty owed to it to be paid in 36 equal monthly installments of \$555.55. Each payment shall be due on the first business day of each month, commencing on October 1, 2023. In the event that a monthly payment is not received within five days of its due date, the entire balance shall become due and owing. Respondent may prepay at any time. Interest on all financial assessments shall accrue in accordance with Rule of Court 4:42-11. Payments shall be made bank check, money order, wire transfer or credit card made payable to the New Jersey Board of Medical Examiners and mailed to the New Jersey State Board of Medical Examiners, Attention: Antonia Winstead, Executive Director, 140 East Front St., 2nd Floor, P.O. Box 183, Trenton, NJ 08608.

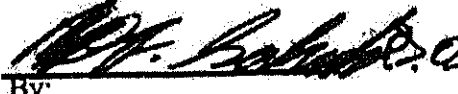
6. Payment of \$2,500 to the Board of Cosmetology and Hairstyling shall be made by bank check, money order, wire transfer or credit card made payable to the New Jersey Board of Cosmetology and Hairstyling, Attention: Jay A. Malanga, Executive Director, Board of Cosmetology and Hairstyling, 124 Halsey Street, 6th Floor, P.O. Box 45003, Newark, New Jersey 07101. Any payment in a form other than those noted in this Paragraph will be rejected and returned to the sender.

7. Failure to comply with any of the terms of this Final Consent Order may result in further disciplinary action and any additional sanction determined by the Boards to be appropriate based on the conduct found.

8. In the event that Respondent applies for reinstatement of her skin care license with the Board of Cosmetology and Hairstyling, she shall appear before the Board or a committee thereof prior to any reinstatement of her license to demonstrate her fitness to practice as well as her future plans.

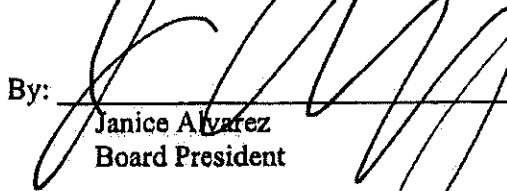
9. The parties hereby stipulate that entry of this Final Consent Order is without prejudice to further action, investigation, and prosecution by the Boards, the Attorney General, the Director of the Division of Consumer Affairs or other law enforcement resulting from Respondent's conduct.

NEW JERSEY STATE BOARD OF MEDICAL
EXAMINERS



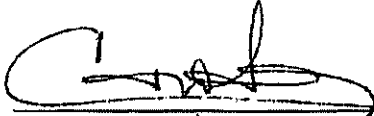
By: _____
Otto F. Sabando, D.O.
Board President

NEW JERSEY STATE BOARD OF COSMETOLOGY
AND HAIRSTYLING



By: _____
Janice Alvarez
Board President

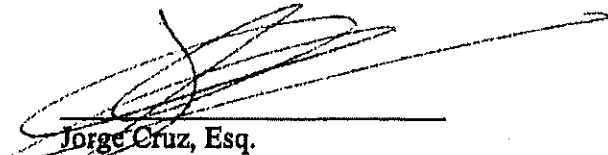
I have read the within Final Consent Order,
understand its terms and agree
to be bound by them.



Carolina Nunez

Dated: 9/22/23

Consent is hereby given
as to the form and entry of
this Final Consent Order.



Jorge Cruz, Esq.
Attorney for the Respondent

Dated: 9/22/23

NOTICE OF REPORTING PRACTICES OF BOARD
REGARDING DISCIPLINARY ORDERS/ACTIONS

All Orders filed by the New Jersey State Board of Medical Examiners are "government records" as defined under the Open Public Records Act and are available for public inspection, copying or examination. See N.J.S.A. 47:1A-1 et seq., N.J.S.A. 52:14B-3(3). Should any inquiry be made to the Board concerning the status of a licensee who has been the subject of a Board Order, the inquirer will be informed of the existence of the Order and a copy will be provided on request. Unless sealed or otherwise confidential, all documents filed in public actions taken against licensees, to include documents filed or introduced into evidence in evidentiary hearings, proceedings on motions or other applications conducted as public hearings, and the transcripts of any such proceedings, are "government records" available for public inspection, copying or examination.

Pursuant to N.J.S.A. 45:9-22, a description of any final board disciplinary action taken within the most recent ten years is included on the New Jersey Health Care Profile maintained by the Division of Consumer Affairs for all licensed physicians. Links to copies of Orders described thereon are also available on the Profile website. See <http://www.njdoctorlist.com>. Copies of disciplinary Orders entered by the Board are additionally posted and available for inspection or download on the Board of Medical Examiners' website. See <http://www.njconsumeraffairs.gov/bme>.

Pursuant to federal law, the Board is required to report to the National Practitioner Data Bank (the "NPDB") certain adverse licensure actions taken against licensees related to professional competence or conduct, generally including the revocation or suspension of a license; reprimand; censure; and/or probation. Additionally, any negative action or finding by the Board that, under New Jersey law, is publicly available information is reportable to the NPDB, to include, without limitation, limitations on scope of practice and final adverse actions that occur in conjunction with settlements in which no finding of liability has been made. Additional information regarding the specific actions which the Board is required to report to the National Practitioner Data Bank can be found in the NPDB Guidebook issued by the U.S. Department of Health and Human Services in April 2015, See <http://www.npdb.hrsa.gov/resources/npdbguidebook.pdf>.

Pursuant to N.J.S.A.45:9-19.13, in any case in which the Board refuses to issue, suspends, revokes or otherwise places conditions on a license or permit, the Board is required to notify each licensed health care facility and health maintenance organization with which a licensee is affiliated and every other board licensee in this state with whom he or she is directly associated in private medical practice.

In accordance with an agreement with the Federation of State Medical Boards of the United States, a list of all disciplinary orders entered by the Board is provided to the Federation on a monthly basis.

From time to time, the Press office of the Division of Consumer Affairs may issue press releases including information regarding public actions taken by the Board.

Nothing herein is intended in any way to limit the Board, the Division of Consumer Affairs or the Attorney General from disclosing any public document.