

4713-1-10

**Inspection and investigation.**

- (A) To better protect the general public and to ensure compliance with Chapter 4713. of the Revised Code and the rules amplifying it, the board may inspect or investigate the following:
- (1) Any salon, school, tanning facility, continuing education provider or location in which the practice of cosmetology is practiced or taught, or tanning takes place, or
  - (2) Any licensee, [boutique services registration holder](#), permit, or certificate holder ~~or person acting as a licensee or permit or certificate holder.~~
  - (3) [Any person acting as a licensee, boutique services registration holder, permit, or certificate holder.](#)
- (B) The inspector ~~or investigator~~ may inspect or investigate persons holding a license, [boutique services registration](#), or permit or the facilities in which the licensee holders, [boutique services registration holders](#), and permit or certificate holders work without prior notice in order to ensure compliance with the board's laws and rules.
- (1) ~~No salon or~~ [Salons, schools, and](#) tanning ~~facility~~ [facilities](#) shall be inspected ~~more than at least~~ once ~~a year~~ [every two years](#), ~~except for a salon in which violation are found during an inspection.~~
    - (a) When an inspector finds violations, the inspector ~~may~~ [shall](#) do ~~a~~ follow-up ~~inspections on the licensee~~ [inspection](#) to determine if the licensee, [permit holder, or boutique services registration holder](#) has corrected the violations.
    - ~~(b) The inspector may return as often as possible to ensure the licensee corrects the violations and understands board laws and rules.~~
  - (2) The salon, [school](#), or facility to be inspected shall be randomly chosen, and
  - (3) Assignments to inspect salons, [schools, and facilities](#) shall be made according to the policy of the board.
  - (4) The board inspectors ~~and investigators~~ shall make reasonable inspections or investigations during the normal business hours of the salon, school or tanning facility or at the location where a branch of the cosmetology profession is being practiced or demonstrated or taught.

- (5) If the salon, school, tanning facility, or other location is “open for business” or has no hours of operation posted, the inspector ~~or investigator~~ may conduct an inspection or investigation whether the doors are locked or unlocked.
- (C) If a complaint is filed, an inspector ~~or investigator~~ shall be assigned to investigate the complaint.
- (D) After any inspection or investigation, the inspector ~~or investigator~~ shall issue a report that shall be signed and posted in the salon, school, tanning facility, or other location issued a temporary ~~service permit~~ event salon license.
- (1) The board inspector ~~or investigator~~ who has conducted a reasonable inspection or an investigation shall prepare a report of the inspection or investigation on forms provided by the board;
- (2) The inspector ~~or investigator~~ shall sign the report.
- (3) The owner, salon manager or individual authorized by the owner to sign shall also sign the report.
- (4) A copy of the report shall be left with or electronically mailed to the owner, salon manager, or the individual authorized to physically sign or electronically sign the document. Inspection reports that are electronically mailed shall be mailed to the electronic mailing address of record.
- (5) The report shall be posted near the license of the salon until the next inspection report is issued, and in a position easily seen by the clients of the salon, school, or tanning facility. At a location, the report shall remain posted for the duration of the event.
- (6) Should the inspector ~~or investigator~~ find violations committed by individuals in the salon, the individuals shall be given a copy of the inspection or investigation report.
- (E) Persons being investigated or inspected shall cooperate with the board inspector or investigator.
- (F) Should the board decide to issue a notice of violation based upon the charges, the board shall follow the procedure for the administrative hearings as set forth in Chapter 119. of the Revised Code.

- (1) Any fines or other punishment shall be as authorized in section 4713.64 of the Revised Code.
  - (2) A notice of violation shall be sent to the salon owner or school director, as well as to the salon ~~licensee and any~~ individual licensee, boutique services registration holder, permit holder, or unlicensed individual, ~~or permit holder~~ cited for violations.
- (G) The board grants the authority to the executive director to oversee the inspection and investigation process and to initiate disciplinary proceedings pursuant to section 4713.64 of the Revised Code for any violation of Chapter 4713. of the Revised Code and rules amplifying the chapter, including taking the following actions:
- (1) To issue notices of violation and opportunity for hearing in accordance with Chapter 119. of the Revised Code, and
  - (2) To oversee any disciplinary proceedings permitted in Chapter 4713. of the Revised Code against licensed persons, boutique services registration holders, or unlicensed ~~persons~~individuals practicing cosmetology or a branch of ~~it or a person~~cosmetology, individuals operating a tanning facility ~~with or without a permit or certificate or disciplining a~~, or continuing education or tanning operator certificate provider for failing to follow the law and rules of the board.