



# THE OHIO STATE BOARD OF COSMETOLOGY

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## **NOTICE OF PUBLIC HEARING**

Acting under the authority of the Ohio Revised Code Sections 119.03, the Ohio State Board of Cosmetology hereby announces a public hearing will be held on Tuesday, July 5, 2016 at 9:00 a.m. in the Board room, 1929 Gateway Circle, Grove City, Ohio.

This is a statement of the agency's intention to promulgate the following rules:

### **No Change Rules**

- **4713-3-02:** Floor plan requirements for schools – Five Year Rule Review
- **4713-3-03:** School layout – Five Year Rule Review

### **Amended Rules**

- **4713-1-01:** Definition for Inactive is being proposed. An amendment to "one year" of work experience is being proposed so the rule agrees with the law.
- **4713-3-01:** Opening school package – Explains the school is responsible for providing proof of a surety bond annually.
- **4713-3-11:** Cancellation, settlement and refund – A portion of this rule is being moved to 4713-5-14.
- **4713-3-12:** School catalogue and handbook requirements amended to update enrollment discrimination clause, complaint filing procedures.
- **4713-5-01:** Definitions are being updated to make them easier to understand.
- **4713-5-02:** Program requirements – Changes were made so the rule would be in line with the ORC and for clarification purposes.
- **4713-5-03:** Required course curriculum - Amended some language for clarification. A requirement was added for curriculum outlines because career tech school calendars change yearly.
- **4713-5-04:** Proprietary schools- Clarifying how adult education schools are handled.
- **4713-5-08:** School rules - There was no timeframe for a school to file their rules with the Board.
- **4713-5-10:** Daily and monthly records - The changes better explain what a school must do in regards to a student's hours of training and their grades.
- **4713-5-13:** Transfer procedure - Clarifies the requirements that must be followed when a student transfers from one school to another.
- **4713-5-15:** Treatment of student withdrawing from school - Included a timeframe a school must have a discontinuance form filed with the Board.
- **4713-5-21:** Instructor limitations - Explains the requirements and limitations of an apprentice instructor.
- **4713-5-28:** Attire for applicants taking examinations at the board - Some words were added to clarify the rule and make it easier to understand.
- **4713-7-01:** Processing of applications for licensing and examination - Explains that a user id and password will be required and that information shall constitute the legally recognized signature of an applicant or licensee.
- **4713-13-02:** Independent contractor - The fee for a new independent contractor license and the renewal fee were put in this rule. The requirement of having an active manager's license was added.

- **4713-21-03:** Continuing education requirements - The requirements for continuing education for each license type is explained. Also, it explains where a licensee can obtain a list of approved continuing education courses.
- **4713-21-04:** Licensure renewal procedures - This rule explains the renewal process and how a person can place their license in to an inactive status. It also explains that a license will expire if it is not renewed.
- **4713-21-06:** Applying for inactive licensure status and temporary work permit - Language was added to explain what a licensee must do in order to place and maintain their license in an inactive status. It also explains how to change their license status back to active.

## New Rules

- **4713-3-08:** Final licensure - Language added explaining a license is non-transferrable.
- **4713-5-06:** Hours awarded - The terms "credit hours" and "competency based" were added. 4713-5-6(B) was moved from 4713-5-04
- **4713-5-11:** Final training records - This rule was re-written for clarification purposes.
- **4713-5-14:** Discontinuance/closure of operation - This rule combines rules from chapter 3 and 5.
- **4713-5-22:** Charges for service and student compensation - Explains that a certified student may perform services in a clinic, but may not receive compensation. Also explains that a clinic may charge for services.
- **4713-5-24:** Expiration of hours - It explains a student has five years from original date of enrollment to complete the program.
- **4713-7-11:** Temporary pre-examination work permit - Explains that an applicant may get a work permit when applying to take the exam. It also explains when the permit shall be surrendered and expires.
- **4713-11-13:** Temporary special occasion work permit - The fee for an independent contractor's license was not in this rule. Also, the requirement of holding an active manager's license was not stated.

## Rescinded Rules

- **4713-3-06:** Training records and student review - The content of the rule was moved to OAC 4713-5-11.
- **4713-3-08:** Final licensure - More than 50% of the text changed, therefore, the rule must be rescinded and submitted as new.
- **4713-3-09:** School transfers, change of ownership or discontinuance of operation - 4713-3-09 (A) was moved to 4713-3-08 - explains the license in non-transferrable. 4713-3-09(B) was moved to 4713-5-14 - explains the procedures for discontinuing operation of a school.
- **4713-5-05:** Charges for services - This rule was combined with rule 4713-5-22(B).
- **4713-5-06:** Restriction of activities - More than 50% of the text changed, therefore, the rule must be rescinded and submitted as new
- **4713-5-07:** Postgraduate classes - This rule was rescinded because the language was covered in chapters 4713-8 and 4713-21
- **4713-5-11:** Final training records - This rule is being rescinded because the language needed to be amended for clarification.
- **4713-5-18:** Apprentice instructor - Language was moved to 4713-5-21
- **4713-5-22:** Students not to be compensated with wages - This rule is being rescinded because clarification of this rule is needed.
- **4713-5-23:** Clinic service assignments - This rule was moved to 4713-5-02 (E)
- **4713-5-24:** Students who fail to finish studies - This rule was rescinded to clarify the

language.

- **4713-5-25:** Temporary work and temporary special occasion work permits – This rule was moved to 4713-7-11 and 4713-11-13.
- **4713-21-01:** Purposes - This rule is being rescinded because of redundancies.

The full text of the rules is available on The Board's website, and can be accessed at: <http://www.cos.ohio.gov/rulereview.php> (You may access each rule under this section individually).

On the date and at the time and place designated in this notice, any person affected by the proposed action of the Ohio State Board of Cosmetology may appear and be heard in person, by his/her attorney, or both; may present his/her position, arguments, or contentions orally or in writing; offer witnesses; and, present evidence tending to show that any proposal, if adopted or effectuated, will be unreasonable or unlawful.