



OHIO STATE COSMETOLOGY AND BARBER BOARD

To protect and support the public through regulation and education, while promoting the integrity of the cosmetology and barbering industries.

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NOTICE OF PUBLIC HEARING

Acting under the authority of the Ohio Revised Code Sections 119.03, the Ohio State Cosmetology and Barber Board hereby announces a public hearing will be held Friday, January 4, 2019, 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:

New Rules

- **4713-1-11: Change of status or ownership**
Purpose: This rule updates current rule 4713-1-11 to include references to barbering and consolidates all rules that currently address similar subject matter into a single rule.
- **4713-7-04: Content of examinations.**
Purpose: This rule updates current rule 4713-7-04 to include references to barbering and streamlines the rule language.
- **4713-7-12: Barber teacher training program.**
Purpose: This rule codifies a long-standing policy requiring individuals to complete a barber teacher training program before applying for a barber teacher license.
- **4713-7-14: Barber license examinations.**
Purpose: This rule establishes the examination requirements for barbers and barber teachers.
- **4713-7-15: Failure to appear for a barber license examination.**
Purpose: This rule clarifies that applicants for a barber license who fail to appear for a scheduled examination will need to reapply for the examination.
- **4713-15-18: Infection control standards for licensees under Chapter 4709. of the Revised Code.**
Purpose: This rule creates a nexus to the infection control standards under Chapter 4713-15 of the Administrative Code, and will allow the Board to use one set of infection control standards for all Board licensees.

Amended Rules

- **4713-1-01: Definitions.**
Purpose: The current rule is being amended to add references to barbers/barbershops, update the name of the Board, and clean up existing rule language.
- **4713-1-02: Appointing authority.**
Purpose: The current rule is being amended to add references to barbers/barbershops and to clarify existing rule language.
- **4713-1-05: Sunshine rule.**

Purpose: The current rule is being amended to update the name of the Board.

- **4713-1-09: Animals forbidden in salons, tanning facilities, schools and in the board.**

Purpose: The current rule is being amended to add references to barbers/barbershops/barber schools, implement a long-standing animal exemption for barbershops and to expand it to all facilities licensed by the Board, and to eliminate unnecessary language from the rule.

- **4713-1-10: Inspection and investigation.**

Purpose: The current rule is being amended to add references to barbers/barbershops/barber schools and Chapter 4709 of the Revised Code, and to clean up existing rule language.

- **4713-1-12: Signs.**

Purpose: The current rule is being amended to add references to barbers/barbershops/barber schools.

- **4713-1-13: Board of cosmetology policy concerning access to confidential personal information.**

Purpose: The current rule is being amended to include a reference to Chapter 4709 of the Revised Code, update the name of the Board in the rule title, and update language regarding Board staff.

- **4713-1-14: Trafficking education.**

Purpose: The current rule is being amended to add references to barbers and to include language clarifying the existing language of the rule.

- **4713-3-01: Opening school package.**

Purpose: The current rule is being amended to add a reference to Chapter 4709 of the Revised Code.

- **4713-3-02: Floor plan requirements for schools.**

Purpose: The current rule is being amended to add references and requirements for barber schools.

- **4713-3-03: School layout.**

Purpose: The current rule is being amended to add references and requirements for barber schools and to simplify and clarify existing rule language.

- **4713-3-05: Signs and advertisements.**

Purpose: The current rule is being amended to add references and requirements for barber schools and to update terminology and the name of the Board.

- **4713-3-08: Final licensure.**

Purpose: The current rule is being amended to add references and requirements for barber schools.

- **4713-3-12: School catalogue and handbook requirements.**

Purpose: The current rule is being amended to update the name of the Board. The rule language is general and will apply to all schools licensed by the Board.

- **4713-3-13: School contract requirements.**

Purpose: The current rule is being amended to update the name of the Board. The rule language is general and will apply to all schools licensed by the Board.

- **4713-5-01: Definitions.**

Purpose: The current rule is being amended to add references and requirements for barber schools.

- **4713-5-02: Program requirements.**

Purpose: The current rule is being amended to add references and requirements for barber schools and to update the name of the Board.

- **4713-5-03: Required course curriculum.**

Purpose: The current rule is being amended to add references and requirements for barber schools. The amendment also adds language permitting students to receive credit for certain academic courses in esthetics programs.

- **4713-5-04: Proprietary schools.**

Purpose: The current rule is being amended to add references to barber schools.

- **4713-5-06: Hours awarded.**

Purpose: The current rule is being amended to add references and requirements for barber schools. The amendment also removes a requirement that students be scheduled for attendance at least three hours per day.

- **4713-5-08: School rules**

Purpose: The current rule is being amended to add a reference to Chapter 4709 of the Revised Code and to clean up the existing language.

- **4713-5-09: Enrollment procedure.**

Purpose: The current rule is being amended to add references and requirements for barber schools.

- **4713-5-10: Records and reports.**

Purpose: The current rule is being amended to clarify the due date for providing students with a copy of their monthly student hour reports. The rule language is general and will apply to all schools licensed by the Board.

- **4713-5-11: Final training records.**

Purpose: The current rule is being amended to add references and requirements for barber schools.

- **4713-5-13: Transfer procedure.**

Purpose: The current rule being amended to use general language applicable to all schools licensed by the Board. The amendment also adds language permitting students to transfer hours from schools located in territories of the United States.

- **4713-5-15: Treatment of student withdrawing from school.**

Purpose: This current rule is being amended to include students who are terminated from cosmetology or barber training programs.

- **4713-5-17: Licensed instructors on premises.**

Purpose: The current rule is being amended to add references and requirements for barber schools and to clean up the existing language.

- **4713-5-21: Instructor limitations.**

Purpose: The current rule is being amended to add references and requirements for barber schools and to use general language applicable to all schools licensed by Board.

- **4713-5-22: Charges for service and student compensation.**

Purpose: The current rule is being amended to add references and requirements for barber schools.

- **4713-5-24: Expiration of hours.**
Purpose: The current rule is being amended to add references and requirements for barber schools.
- **4713-5-27: Sanitation.**
Purpose: The current rule is being amended to add a reference to Chapter 4709 of the Revised Code and to update terminology in the rule title and rule body.
- **4713-7-03: Examination rooms.**
Purpose: The language of the current rule is not being amended. The rule is being filed as an amended rule due to changes in the rule's authority and amplification.
- **4713-7-05: Applications to practice branches of cosmetology from active duty military members, spouses of active duty military members, or veterans.**
Purpose: The current rule is being amended to remove unnecessary language and to clarify the subject matter of the rule.
- **4713-7-06: Language requirements.**
Purpose: The current rule is being amended to update and clarify the existing rule language.
- **4713-7-07: Examination grading system.**
Purpose: The language of the current rule is not being amended. The rule is being filed as an amended rule due to changes in the rule's authority and amplification.
- **4713-7-08: Applications to practice branches of cosmetology from active duty military members, spouses of active duty military members, or veterans.**
Purpose: The current rule is being amended to add references to barbers/barbershops.
- **4713-8-10: Corrective action courses.**
Purpose: This rule is being amended to streamline and clarify the existing rule language.
- **4713-11-03: Water supply; waste disposal.**
Purpose: The current rule is being amended to add references to barbers/barbershops.
- **4713-11-04: Permits.**
Purpose: The current rule is being amended to add references to barbers/barbershops.
- **4713-11-05: Restrooms.**
Purpose: The current rule is being amended to add references to barbers/barbershops, and to clarify and streamline the rule requirements.
- **4713-11-08: Residential salons.**
Purpose: The current rule is being amended to add references to barbers/barbershops.
- **4713-11-10: Services that may be provided in a salon.**
Purpose: The current rule is being amended to add references to barbers/barbershops.
- **4713-11-14: Mobile salons.**
Purpose: The current rule is being amended to add references to barbers/barbershops.
- **4713-13-02: Independent contractor.**
Purpose: The current rule is being amended to add references to barbers/barbershops.

- **4713-13-09: Retailing of items in salons.**

Purpose: The current rule is being amended to add references to barbershops.

- **4713-19-09: Maintaining records for sunlamp product services.**

Purpose: The current rule is being amended to update the name of the Board and to remove outdated/unnecessary language.

- **4713-21-03: Continuing education requirements.**

Purpose: The current rule is being amended to add references to barbers, to reduce compliance requirements for individuals with many years of experience in the industry, and to permit individuals to receive credit for courses completed to maintain licensure in other jurisdictions when seeking to restore their Ohio license.

Rescinded Rules

- **4709-1-01: Definition of Ohio barber board**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-1-02: Appointing authority**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-1-03: Definition of rule.**

Purpose: The current rule is proposed to be rescinded since it is duplicative of statute.

- **4709-1-04: Public hearing notice.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-1-05: Sunshine rule.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-1-06: Where barber services may be performed.**

Purpose: The current rule is proposed to be rescinded since it is duplicative of statute.

- **4709-1-07: Adjudication hearings.**

Purpose: The current rule is proposed to be rescinded since it is duplicative of statute.

- **4709-3-01: Definitions.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-3-02: Barber school facilities, equipment and requirements.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-3-03: Teaching staff.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-3-04: Curriculum.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-3-05: Requirements for student application and operations.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-3-06: Procedure upon completion of instruction.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-3-07: New schools.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-5-02: Fee schedule.**
Purpose: This rule is proposed to be rescinded since its language is duplicative of statute.
- **4709-5-03: License issued.**
Purpose: This rule is proposed to be rescinded since its language is duplicative of statute.
- **4709-5-04: Restoration of license.**
Purpose: This rule is proposed to be rescinded since its language is duplicative of statute.
- **4709-5-05: Renewal of license.**
Purpose: This rule is proposed to be rescinded since its language is duplicative of statute.
- **4709-5-06: Examination for licensure.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-5-07: Continuing education.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-5-08: Registered sex offender.**
Purpose: This rule is proposed to be rescinded since the Revised Code addresses the Board's authority to consider felony convictions, and the rule appears inconsistent with some of the statutory provisions of R.C. 4709.13.
- **4709-5-09: Consideration of military experience, education, training and term of service.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-7-01: Application for operation of barber shop.**
Purpose: This rule is proposed to be rescinded since its language is duplicative of statute.
- **4709-7-02: Floor plan.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-03: Water supply; waste disposal.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-04: Plumbing permit.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-05: Restrooms.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-06: Display of sign or barber pole.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-07: Notification of changes must be submitted in writing.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-08: Resident shops.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-09: Mobile home shops.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-10: Barber shop licenses.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-11: Booth space.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-12: Policy on prohibiting pets.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-13: Inspections of shops.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-7-14: Board approval and shop license.**

Purpose: This rule is proposed to be rescinded since its language is duplicative of statute.

- **4709-7-15: License and photo.**

Purpose: This rule is proposed to be rescinded since its language is duplicative of statute.

- **4709-7-16: Separation of shop.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-01: Interior and exterior of shops.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-02: Diseases.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-03: Wash hands.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-04: Treating of disease.**
Purpose: This rule is proposed to be rescinded since its language is duplicative of statutory requirements.
- **4709-9-05: Sanitizing.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-06: Neck duster and hair brush.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-07: Closed compartment.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-08: Clean linen.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-09: Head rest.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-10: Neck protector.**
Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-11: Towel receptacle.**
Purpose: The current rule is being proposed for rescission and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.
- **4709-9-12: Patch test.**
Purpose: This rule is proposed to be rescinded as unnecessary.
- **4709-9-13: Astringents.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-11-01: Definitions.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-11-02: Restricting and logging access to confidential personal information in computerized personal information systems.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-11-03: Procedures for accessing personal information.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-11-04: Valid reasons for accessing confidential personal information.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4709-11-05: Confidential information.**

Purpose: The current rule is being proposed to be rescinded and replaced, where applicable, in chapter 4713 of the Administrative Code in an effort to consolidate all Board rules into a single chapter.

- **4713-1-11: Notice of change of status.**

Purpose: This rule is proposed to be rescinded and replaced with a new, updated rule.

- **4713-5-16: School shall maintain state board notifications.**

Purpose: This rule is proposed to be rescinded as unnecessary.

- **4713-7-04: Content of examinations.**

Purpose: This rule is proposed to be rescinded and replaced with a new, updated rule.

- **4713-13-01: Change of ownership.**

Purpose: This rule is proposed to be rescinded as unnecessary due to other rules addressing the subject matter.

- **4713-13-10: Demonstrations at trade shows and other events.**

Purpose: This rule is proposed to be rescinded since its subject matter is addressed in other rules and its language may be inconsistent with statute.

- **4713-19-07: Display of sign.**

Purpose: This rule is proposed to be rescinded as unnecessary due to other rules addressing the subject matter.

- **4713-19-11: Policy on prohibiting animals.**

Purpose: This rule is proposed to be rescinded as unnecessary due to other rules addressing the subject matter.

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 Cosmetology and Barber Board 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.