



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Sean McCullough, Director

MEMORANDUM

TO: Jared Yee, Ohio State Cosmetology and Barber Board

FROM: Joseph Baker, Business Advocate

DATE: September 22, 2022

RE: CSI Review – 4713-21 7-2022 (OAC 4713-21-03 and 4713-21-06)

On behalf of Lt. Governor Jon Husted, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Board as provided for in ORC 107.54.

Analysis

This rule package consists of two amended rules proposed by the Ohio State Cosmetology and Barber Board (Board). This rule package was submitted to the CSI Office on July 29, 2022, and the public comment period was held open through August 15, 2022. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI office on July 29, 2022.

Ohio Administrative Code (OAC) 4713-21-03 specifies continuing education requirements for individuals seeking to renew various licenses issued by the Board, including cosmetology, barbering, boutique services, and others. The rule is amended to remove requirements for barbers and cosmetologists to complete one hour of continuing education on personal wellness and three hours of continuing education regarding subject matters related to the scope of services for each license (reducing the total number of continuing education hours require to renew the licenses from eight to four).

OAC 4713-21-06 sets forth the process for a licensee to apply to the Board to reactivate an inactive license, including payment of a fee and submitting proof of completing continuing education requirements. The rule is amended to require that the licensee provide proof of completing the

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continuing education requirements for the current licensure period, rather than for the period the license was suspended and to reflect the reduction in continuing education hour requirements made in OAC 4713-21-03.

During early stakeholder outreach, the Board sent the proposed rules to all persons and entities licensed by the Board by email, as well as to schools, associations, and societies representing the professions regulated by the Board. No comments were provided during stakeholder outreach or during the CSI public comment period.

The business community impacted by the rules includes all Board licensees. The Adverse impact to business includes the costs and time associated with completing continuing education requirements prior to renewing or reactivating an inactive license. The Board proposes to amend the rules to reduce the number of required hours from eight to four. Additionally, the proposed amendments to the rule governing the process for reactivating a license may result in a reduction of up to twenty hours of continuing education, as applicants will no longer be responsible for providing proof of completing continuing education requirements during the period the license was inactive, but instead only for the current licensing period. The Board states that the adverse impact to business is justified to ensure safe standards and practices are in place for licensees and registration holders.

Recommendations

Based on the information above, the CSI Office has no recommendations on this rule package.

Conclusion

The CSI Office concludes that the Board should proceed in filing the proposed rules with the Joint Committee on Agency Rule Review.