



Common Sense Initiative

Mike DeWine, Governor
Jon Husted, Lt. Governor

Joseph Baker, Director

MEMORANDUM

TO: Jared Yee, Ohio State Cosmetology and Barber Board

FROM: Jacob Ritzenthaler, Business Advocate

DATE: October 15, 2024

RE: CSI Review – Chapter 4713-21 (OAC 4713-21-03, 4713-21-04, 4713-21-06, and 4713-21-09)

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 four amended rules proposed by the Ohio State Cosmetology and Barber Board (Board) as part of the statutory five-year review process. This rule package was submitted to the CSI Office on September 16, 2024, and the public comment period was held open through September 23, 2024. Unless otherwise noted below, this recommendation reflects the version of the proposed rules filed with the CSI Office on September 23, 2024.

Ohio Administrative Code (OAC) Chapter 4713-21 establishes requirements for continuing education. OAC 4713-21-03 sets forth general continuing education requirements, including exemptions, continuing education hour requirements, course audits, and expired licenses. The rule is amended to update and align language and remove requirements for licensees who are age sixty-five or older or have held a license for over thirty years to take a one-time human trafficking training to renew an active license. OAC 4713-21-04 establishes the processes for renewing a license or registration and is amended to reduce the number of continuing education hours necessary to restore an expired license to the current continuing education requirement of the renewal period. The rule previously required that the licensee complete eight hours of continuing education for each renewal period since the license was last issued or renewed, up to a maximum of twenty-four hours. OAC

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4713-21-06 contains the procedure for applying for inactive licensure status and is amended to remove requirements for issuing temporary work permits to individuals who are ineligible to restore inactive licenses, as the authorizing language has been removed. OAC 4713-21-09 establishes criteria for continuing education and is amended to remove language that requires Board-approved courses offered to instructors to consist only of topics directly related to the principles of teaching.

During early stakeholder outreach, the Board sent the proposed rules to industry stakeholders for feedback. No comments were received during that time or during the CSI public comment period.

The business community impacted by the rules includes all licensees of the Board. The adverse impacts created by the rule include time spent by licensees completing continuing education hours, renewing a license, and applying for an inactive license status. Licensees of cosmetology, branches of cosmetology, barbers, barber teachers, and boutique services registration holders are required to complete one hour of continuing education concerning updates to relevant laws and regulations and three hours concerning safety and infection control every two years. The Board notes that the reduction of continuing education hours for restoring an inactive license represents a reduced regulatory burden for licensees. The Board states that the adverse impacts created by the rules are necessary to ensure that licensees are educated on developments within the industry.

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.