

STATE COSMETOLOGY AND BARBER BOARD (COS)

General information (COS)

Duties

Effective licensing and regulation of cosmetology, branches of cosmetology, barbering, and tanning services in the State of Ohio.

Membership *(Current members, chairperson and other officers, and selection process.)*

Thomas Taneff, Chair

NeCole Cumberlander, Vice Chair

Luke Hanks

Clara Osterhage

Charles Penzone

Jessica Price-Kovach

Kenji Prince

Tasha Sheipline

Kim Thomas

Jennifer Wolfe

Rowena Yeager

Membership *(Current members, chairperson and other officers, and selection process.)*

R.C. 4713.02 is the authority for the creation and appointment of the Ohio State Cosmetology and Barber Board consisting of thirteen members appointed by the governor, with the advice and consent of the senate.

Budget *(Current budget, description of budgeting process, sources of funding, and expected increases or decreases in budget or funding in future years.)*

The Board's budget allocation in FY20 was \$5,425,748 and in FY21 was \$5,716,944. The Board utilizes a zero-based budgeting process when developing the budget and our source of funding is from licensing fees administered by the Board. In FY22/FY23 we are anticipating a revenue shortage due to COVID-19. We have anecdotal stories of individuals joining the underground economy during the COVID-19 shutdown. As well, some individuals were not able to or chose not to reopen following the shutdown. We will not have a better sense as to the extent of this impact until renewals have completed at the end of January 2021.

Workload *(Assess current, past, and anticipated workload. Has the workload increased or decreased significantly in the preceding six years?)*

The Ohio State Cosmetology Board and the Ohio State Barber Board were merged on July 1, 2017 in Am. Sub. H.B. 49, which became effective on January 21, 2018. By combining the two boards while also implementing the state's e-license system resulted in a temporary workload increase. The level of effort has now become steadier overall. During the license renewal period, the workload does increase significantly to serve the licensees but then returns to an expected level following the license renewal period.

Staffing *(How many staff are currently employed by the board? What are their roles? Are staffing levels proportionate to the board's current and anticipated workload?)*

There are currently 41 staff members of the Board which consists of an Executive Director, a Deputy Director, an Agency Counsel, a Supervisor of Inspections/Complaints, an IT specialist, a supervisor/in-house Human Resources, a Barber Examination Manager, a Board Liaison/Administrative Assistant, a Budget Analyst, three customer service representatives, four examiners, an individual who oversees examination scheduling, an individual who oversees continuing education, two administrative action representatives, sixteen inspectors, an account clerk, and four license specialists. Four employees have recently left employment with our agency. Due to the state's current hiring freeze, we have not been able to replace them. As a result, we are currently engaged in an effort to ensure employees are cross-trained to support our staffing needs and to meet customer service expectations.

Administrative hearings and public complaints *(Describe the Board's processes for administering discipline and addressing complaints. Assess the efficiency of the processes.)*

Violations cited during inspections and investigations are governed by the Board's Violation Guidance Matrix. The Matrix establishes a uniform, progressive disciplinary process based on the type and number of occurrences of violations. With most first-time violations, licensees are given an opportunity to correct the issue, and, if corrected by the time of follow-up inspection, they receive a warning. Repeat and subsequent violations typically receive an increasing fine per violation and may also face action to suspend or revoke a license. All disciplinary actions and hearings are processed and conducted in accordance with R.C. Chapter 119 and R.C. Chapters 4709 and 4713, as applicable.

Since adopting the current version of the Matrix in March 2019, which expanded the opportunities for corrective actions and warnings, the Board has been able to reduce its total number of disciplinary actions, which was already efficient and consistent across the state.

Barber license

Survey responses (COS)

Description

The practice of barbering means any one or more of the following when performed upon the head, neck, or face for cosmetic purposes and when performed upon the public for pay, free, or otherwise.

Shaving the face, shaving around the vicinity of the ears and neckline, or trimming facial hair;

Cutting or styling hair;

Facials, skin care, or scalp massages;

Shampooing, bleaching, coloring, straightening, or permanent waving hair;

Cutting, fitting, or forming head caps for wigs or hair pieces.

Type (See R.C. 4798.01 for relevant definitions.)

License

If the regulation is a registration, certification, or license requirement, please complete the following:**Number issued annually**

267 new Barber licenses issued in FY20

Number renewed annually

7860 renewals are completed biennially

Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?

Decreased by 2.7% since FY2018. The Cosmetology and Barber boards were merged January 2018. Data for prior years is not readily available.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Education or training requirements	1800-Hour Barber Program in a licensed barber school 1000-Hour Barber program if a COS license is held.
Experience requirements	None
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A practical (hands-on) and theory (computer-based) is required to be taken and passed. The Board administers the barber examinations. The theory exam is a national exam and the practical exam is state constructed based on national requirements. Exam fee \$90 Retake exam fee \$45
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Barbers have not been required to complete CE hours. 8 CE hours will be required to renew a barber license in 2022.
Initial fee	\$30
Duration	2-Year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$110; fee is established in 4709.12
Does the Board recognize uniform licensure requirements or allow for reciprocity?	Yes, reciprocity is authorized under R.C. 4709.08.
Are there any similar national registrations, certifications, or licenses?	No

If the regulation is a registration, certification, or license requirement, please complete the following:

Could they be used as a substitute for the state regulation?	
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Yes, but only if they are exempted under R.C. 4709.03.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4709.13.
Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)	Barber applicants are required to be 18 years of age to be eligible for licensure.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board’s laws and rules through periodic inspection and complaint investigations. The Board may refuse to issue or renew, or may suspend, revoke, or impose conditions on a license under R.C. 4709.13. The Board may also seek injunctive relief or impose a fine under R.C. 4709.14.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$56,070. Amount is for FY20 which is a non-renewal year. Revenue collected is lower on non-renewal years.

Due to COVID-19 examinations for new licenses was on hold for approximately 3-months due to the restrictions.

Revenue from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable.

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers.

More importantly, though, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Barbers, under their scope of practice, can apply caustic chemicals to the hair, scalp, and face of consumers, and can use potentially dangerous implements such as straight razors.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that barbers have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that barbers are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement and reduce the minimum age for licensure to 16. See attached document for these and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

All 49 other states and the District of Columbia require barbers to be licensed. Ohio's 1,800-hour training requirement is higher than the average of around 1,500 hours.

Surrounding state comparison (LSC)

Barber License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4709.02</i>)	Yes (<i>Ind. Code Ann. 25-8-12.1-1</i>)	Yes (<i>Ky. Rev. Stat. Ann. 317.420</i>)	Yes (<i>Mich. Comp. Laws 339.1104</i>)	Yes (<i>63 Pa. Cons. Stat. 551</i>)	Yes (<i>W. Va. Code Ann. 30-27-1</i>)
Education or training	8 th grade education or an equivalent and 1,800 hours of training from a board-approved barber school (<i>R.C. 4709.07</i>)	High school graduate if 17; 1,500 hours of training in a barber program (<i>Ind. Code Ann. 25-8-12.1-3</i>)	High school diploma or equivalency, graduated from a licensed barbering school with 1,500 hours of training, and six-month apprenticeship (<i>Ky. Rev. Stat. Ann. 317.450(1) and 317.540</i>)	Completed 10 th grade or has an equivalent, 1,800-hour course of study at a licensed barber college (<i>Mich. Comp. Laws 339.1108(1)</i>)	Completed 8 th grade or equivalent and at least 1,250 hours of barbering study and training and not less than nine months in a licensed barber school or shop under a licensed teacher (<i>63 Pa. Cons. Stat. 553</i>)	High school diploma, GED, or has passed the “ability to benefit test” approved by the U.S. Department of Education, and a 1,200 hour course of study (<i>W. Va. Code Ann. 30-27-8; W. Va. Code R. 3-1-4</i>)
Experience	No	No	No	No, but may substitute experience for instruction under certain circumstances (<i>Mich. Comp. Laws 339.1108(3)</i>)	No	No

Barber License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Exam	Yes (<i>R.C. 4709.07</i>)	Yes (<i>Ind. Code Ann. 25-8-12.1-3</i>)	Yes (<i>Ky. Rev. Stat. Ann. 317.450(1)(a)(5)</i>)	Yes (<i>Mich. Comp. Laws 339.1108(1)</i>)	Yes (<i>63 Pa. Cons. Stat. 553</i>)	Yes (<i>W. Va. Code Ann. 30-27-8(5)</i>)
Continuing education	Eight hours biennially (<i>O.A.C. 4713-21-03(B)(1)(a)</i>)	No	No	No	No	Four credit hours per year (<i>W. Va. Code R. 3-11-3</i>)
Initial licensure fee	\$30 plus \$90 exam fee (<i>R.C. 4709.12(A)(1) and (3)</i>)	\$40 (<i>Ind. Code Ann. 25-8-13-12.1</i>)	\$50 (<i>201 Ky. Admin. Regs. 14:180</i>)	\$20 application fee, \$75 exam fee, and \$30 license fee (<i>Mich. Comp. Laws 338.2217</i>)	\$10 application/exam fee (<i>49 Pa. Code 3.103</i>)	\$35 (<i>W. Va. Code R. 3-6-2(2.2)</i>)
License duration	Two years (<i>R.C. 4709.11</i>)	Four years (<i>Ind. Code Ann. 25-8-15.4-9</i>)	One year (<i>Ky. Rev. Stat. Ann. 317.450(9)</i>)	Two years (<i>Mich. Admin. Code R. 339.1003</i>)	Two years (<i>63 Pa. Cons. Stat. 558</i>)	One year (<i>W. Va. Code R. 3-6-2(2.4)</i>)
Renewal fee	\$110 (<i>R.C. 4709.12(A)(4)</i>)	\$40 (<i>820 Ind. Admin. Code 8-5-4</i>)	\$50 (<i>201 Ky. Admin. Regs. 14:180</i>)	\$30 (<i>Mich. Comp. Laws 338.2217</i>)	\$109 (<i>49 Pa. Code 3.103</i>)	\$35 (<i>W. Va. Code R. 3-6-2(2.4)</i>)

Barber teacher or assistant teacher license

Survey responses (COS)

Description	
Barber teacher means any person who engages in or attempts to engage in the teaching of the practice of barbering. Assistant barber teacher means any person who assists a barber teacher in the teaching of the practice of barbering.	
Type <i>(See R.C. 4798.01 for relevant definitions.)</i>	
License	
If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	23 New Barber teacher/Asst. Teacher licenses issued in FY20
Number renewed annually	107 Renewals completed biennially

If the regulation is a registration, certification, or license requirement, please complete the following:

Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	The Cosmetology and Barber boards were merged January 2018. Data for prior years is not readily available.
Education or training requirements	Must hold a current barber license and has at least eighteen months of work experience in a licensed barbershop or has been employed as an assistant barber teacher for at least one year.
Experience requirements	Must have either eighteen months of work experience in a licensed barber shop or have been employed as an assistant barber teacher for at least one year. The Board, however, has authority to waive either of these requirements.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	Passes a national barber teacher theory examination.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Barber Teachers have not been required to complete CE hours. 8 CE hours will be required to renew a barber teacher license in 2022.
Initial fee	\$185 includes the required examination
Duration	2-Year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$150; fee is established in 4709.12

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. The Revised Code does not authorize reciprocity for this license.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>No</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4709.13. The Board also has discretion to waive the experience requirements.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>None</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board’s laws and rules through periodic inspection and complaint investigations. The Board may refuse to issue or renew, or may suspend, revoke, or impose conditions on a license under R.C. 4709.13. The Board may also seek injunctive relief or impose a fine under R.C. 4709.14.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$4,970. Amount is for FY20 which is a non-renewal year. Revenue collected is lower on non-renewal years. Due to COVID-19 examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenue from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers. Like with the Board’s practicing licenses, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Barbers, under their scope of practice, can apply caustic chemicals to the hair, scalp, and face of consumers, and can use potentially dangerous implements such as straight razors. This regulation ensures that barber students receive their instruction from qualified, knowledgeable instructors.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that barber teachers have the ability to educate barber students to develop the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that barber teachers are continuing to provide effective instruction on the appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those of other states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

43 other states and the District of Columbia require barber teachers/instructors to be licensed. Requirements vary, but typically consist of a period of experience as a licensee or assistant teacher plus specific instructor training hours and an examination. Ohio's requirement of 18 months of experience (or one year as an assistant barber) plus 500 hours of instructor training (established in rule) and an examination is less than the national average, which is closer to two to three years of experience plus around 500 hours of training and an examination.

Surrounding state comparison (LSC)

Barber Teacher or Assistant Teacher License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4709.02(C)</i>)	Yes (<i>Ind. Code Ann. 25-8-6-6</i>)	Yes (<i>Ky. Rev. Stat. Ann. 317.420(3)</i>)	Yes (<i>Mich. Comp. Laws 339.1109</i>)	Yes (<i>49 Pa. Code 3.11</i>)	Yes – certified instructor (<i>W. Va. Code Ann. 30-27-1</i>)
Education or training	Current barber license (<i>R.C. 4709.10(C)(1)</i>)	Licensed barber; high school graduate or equivalent, and completed at least 900 hours in instructor training (<i>820 Ind. Admin. Code 8-4-1</i>)	High school diploma or equivalent (<i>Ky. Rev. Stat. Ann. 317.450(5)</i>)	Licensed barber with one year teaching instruction from a barber college, or six months instruction at a barber college plus 60 semester hours or 90 term hours at a college or university (<i>Mich. Comp. Laws 339.1109</i>)	High school graduate or equivalent who has practiced five years or who has been a manager-barber who has trained for 1,250 hours under a licensed teacher as a teacher-trainee (<i>63 Pa. Cons. Stat. 553</i>)	Passed a teaching techniques course, high school diploma, GED, or “ability to benefit” test approved by the U.S. Department of Education, graduated from a recognized school of barbering, hair styling, aesthetics, nail technology or cosmetology (<i>W. Va. Code R. 3-2-2</i>)
Experience	18 months of work experience or has been an assistant barber teacher for one year (<i>R.C. 4709.10(C)(1)</i>)	None	Practiced for at least 18 months (<i>Ky. Rev. Stat. Ann. 317.450(5)</i>)	Practiced for at least two years (<i>Mich. Comp. Laws 339.1109</i>)	Practiced for at least five years (<i>63 Pa. Cons. Stat. 553</i>)	None

Barber Teacher or Assistant Teacher License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Exam	Yes (<i>R.C. 4709.10(C)(3)</i>)	Yes (<i>820 Ind. Admin. Code 8-3-6</i>)	Yes (<i>Ky. Rev. Stat. Ann. 317.450(5)</i>)	Yes (<i>Mich. Comp. Laws 339.1109</i>)	Yes (<i>63 Pa. Cons. Stat. 553</i>)	Yes (<i>W. Va. Code R. 3-2-2</i>)
Continuing education	Eight hours biennially (<i>O.A.C. 4713-21-03(B)(1)(a)</i>)	No	No	No	No	No
Initial licensure fee	\$185 (<i>R.C. 4709.12(A)(14)</i>)	\$40 (<i>820 Ind. Admin. Code 8-5-1</i>)	\$100 (<i>201 Ky. Admin. Regs. 14:180</i>)	\$20 application fee, \$75 exam fee, and \$40 per year license fee (<i>Mich. Comp. Laws 338.2217</i>)	\$10 application/exam fee (<i>49 Pa. Code 3.103</i>)	\$50 (<i>W. Va. Code R. 3-6-2(2.7)</i>)
License duration	Two years (<i>R.C. 4709.11</i>)	Four years (<i>Ind. Code Ann. 25-8-15.4-9</i>)	One year (<i>Ky. Rev. Stat. Ann. 317.450(9)</i>)	Two years (<i>Mich. Admin. Code R. 339.1003</i>)	Two years (<i>63 Pa. Cons. Stat. 558</i>)	One year (<i>W. Va. Code R. 3-6-2(2.8)</i>)
Renewal fee	\$150 (<i>R.C. 4709.12(A)(15)</i>)	\$40 (<i>820 Ind. Admin. Code 8-5-4</i>)	\$100 (<i>201 Ky. Admin. Regs. 14:180</i>)	\$80 (<i>Mich. Comp. Laws 338.2217</i>)	\$174 (<i>49 Pa. Code 3.103</i>)	\$50 (<i>W. Va. Code R. 3-6-2(2.8)</i>)

Barber student registration

Survey responses (COS)

Description

An application for admission that is required to be filed with the board for each barber student enrolled in a school. The registration includes a copy of the applicant's birth certificate, proof of at least an eighth-grade education, photo of applicant, and the \$40 fee required by the R.C.

Type *(See R.C. 4798.01 for relevant definitions.)*

Registration

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually

676 New Registrations

Number renewed annually

N/A

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	The Cosmetology and Barber boards were merged January 2018. Data for prior years is not readily available.
Education or training requirements	Required to have at least an eighth-grade education and be at least 17 years of age.
Experience requirements	None
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	NA
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	NA
Initial fee	\$40
Duration	One-time registration per program.
Renewal fee (<i>If different from initial fee, please explain why.</i>)	NA

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No, but out-of-state students may be able to transfer training hours to an Ohio barber school and apply for a student registration.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>No</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes. R.C. 4709.10 requires the Board to review and approve barber student registrations. Ohio Adm.Code 4713-5-09 states that the Board must notify the school and individual, in writing, of any reason for denial.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>None</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board only has authority to provide initial approval or denial of the registration. The Board does monitor student progress through school regulations.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$24,440 in FY20 Revenue from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

No. There are, however, federal laws and regulations that relate to student aid for these programs.

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers. More importantly, though, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Barber students, as part of their training, provide clinic services to the public and can apply caustic chemicals to the hair, scalp, and face of consumers, and use potentially dangerous implements such as straight razors.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Student registration allows the Board to monitor student training and progress and ensures that consumers are protected from potentially transient providers. In addition, periodic inspection ensures that students are receiving proper monitoring and instruction when providing clinic services to the public. A less restrictive way to prevent the harm, as suggested by the Board in the attached language, would be to eliminate the registration, Board approval of registration, and the associated fee, and simply have barber schools submit a student enrollment as is done with students training under R.C. Chapter 4713.

Are there any changes the Board would like to see implemented?

Eliminate this registration and associated fee. See attached document for these and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those of other states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Most states require barber schools to submit some form of enrollment notification, but the form varies significantly. Some states, like Ohio, require a specific student permit or registration, but most do not. Ohio's regulation is more restrictive than most states due to the fee associated with the student registration.

Surrounding state comparison (LSC)

Barber Student Registration						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes – registration (<i>R.C. 4709.12(A)(13)</i>)	No	Yes – permit card (<i>201 Ky. Admin. Regs. 14:180(4)</i>)	Yes – student license (<i>Mich. Comp. Laws 339.1105</i>)	Yes – registration (<i>63 Pa. Cons. Stat. 555</i>)	Yes – student registration or barber apprentice permit (<i>W. Va. Code Ann. 30-27-12 and 30-27-8a</i>)
Education or training	None	N/A	High school certificate, diploma, transcript, or GED (<i>201 Ky. Admin. Regs. 14:105</i>)	10 th grade or equivalent (<i>Mich. Comp. Laws 339.1105</i>)	8 th grade or equivalent (<i>63 Pa. Cons. Stat. 555</i>)	None for student registrant; barber apprentice must be high school student, or have a high school diploma, GED, or have passed the “ability to benefit test” approved by the U.S. Department of Education (<i>W. Va. Code Ann. 30-27-8a</i>)
Experience	No	N/A	No	No	No	No
Exam	No	N/A	No	No	No	No

Barber Student Registration						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Continuing education	No	N/A	No	No	No	No
Initial licensure fee	\$40 (<i>R.C. 4709.12(A)(13)</i>)	N/A	\$15 (<i>201 Ky. Admin. Regs. 14:180</i>)	\$15 application, \$30 per year license (<i>Mich. Comp. Laws 338.2217</i>)	\$30 certificate of student status (<i>49 Pa. Code 3.103</i>)	\$25 for student registration; \$35 issuance fee, plus \$50 inspection fee, for barber apprentice (<i>W. Va. Code R. 3-6-2</i>)
License duration	Not specified	N/A	Not specified	Two years (<i>Mich. Comp. Laws 339.1105</i>)	No applicable	Student registration is good during the prescribed period of study for the student; barber apprenticeship duration not specified (<i>W. Va. Code Ann. 30-27-12</i>)
Renewal fee	Not specified	N/A	N/A	\$30 per year (<i>Mich. Comp. Laws 338.2217 and 339.1105</i>)	N/A	N/A

Cosmetologist license

Survey responses (COS)

Description	
The art or practice of embellishment, cleansing, beautification, and styling of hair, wigs, postiches, face, body, or nails.	
Type <i>(See R.C. 4798.01 for relevant definitions.)</i>	
License	
If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	1526
Number renewed annually	22,269

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Increased by 16% since 2014
Education or training requirements	1500-hour basic program in a licensed school of cosmetology 1800-hour advanced program in a licensed school of cosmetology At least an eighth-grade education is required.
Experience requirements	None
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	Practical (hands-on) and Theory (computer-based) examination is required to be passed. The practical is a state constructed exam based on national standards. The theory is a national examination. All exams are administered by examiners employed by the board.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. 8 hours of CE is required to be completed per license renewal period. 1- hour board laws and rules, 2- hours Safety and sanitation, 5- hours scope specific.
Initial fee	\$45
Duration	2-year

If the regulation is a registration, certification, or license requirement, please complete the following:	
Renewal fee <i>(If different from initial fee, please explain why.)</i>	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).
Does the Board recognize uniform licensure requirements or allow for reciprocity?	Yes, reciprocity is authorized under R.C. 4713.34.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Yes, but only if they are exempted under R.C. 4713.17.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.
Other information <i>(Significant attributes or prerequisites to licensure not addressed in this chart.)</i>	Applicants must be at least sixteen years of age to be licensed.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$88,855. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years. Due to COVID-19, examinations for new licenses was on hold for approximately three-months due to the restrictions. Revenue from fees is used for the operations of the Board

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers.

More importantly, though, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Cosmetologists, under their scope of practice, can apply caustic chemicals to hair, scalp, face, and body of consumers, and can use potentially dangerous implements such as scalpels, microdermabrasion machines, and other electronic and high frequency devices.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that cosmetologists have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that cosmetologists are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states (*How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?*)

All 49 other states and the District of Columbia require cosmetologists to be licensed. Ohio's 1,500-hour training requirement is in line with the average of around 1,500 hours

Surrounding state comparison (LSC)

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4713.14</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ind. Code Ann. 25-8-9-1, 25-8-11-1, and 25-8-12.5-1</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ky. Rev. Stat. Ann. 317A.020</i>)	Yes, for cosmetologist, esthetician, and manicurist; optional for natural hair stylist (<i>Mich. Comp. Laws 339.1203a</i>)	Yes (<i>63 Pa. Cons. Stat. 508</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>W. Va. Code Ann. 30-27-1</i>)
Education or training	10 th grade or equivalent and, for cosmetologist, 1,500 school hours	10 th grade or equivalent, and 1,500 school hours for a cosmetologist	High school diploma or equivalent and, for a cosmetologist,	9 th grade or equivalent and, for a cosmetologist, 1,500 school hours or a	10 th grade or equivalent and, for a cosmetologist, 1,250 school hours or 2,000	High school diploma or equivalency and, for a

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	<p>For the limited licenses of esthetician, 600 school hours; manicurist, 200 school hours; and natural hair stylist, 150 school hours</p> <p>Ohio also offers a license as a hair designer, which requires 1,200 school hours <i>(R.C. 4713.28)</i></p>	<p>10th grade or equivalent and 700 school hours for esthetician</p> <p>8th grade or equivalent and 450 school hours for manicurist</p> <p><i>(Ind. Code Ann. 25-8-9-3, 25-8-12.5-4, and 25-8-11-4; 820 Ind. Admin. Code 4-4-4, 4-4-7.1, and 4-4-5)</i></p>	<p>1,500 school hours</p> <p>For the limited licenses of esthetician, 750 hours and nail technician, 450 hours</p> <p><i>(Ky. Rev. Stat. Ann. 317A.050)</i></p>	<p>two-year apprenticeship</p> <p>For the limited licenses of esthetician, manicurist, or natural hair cultivation, 400 school hours or a six-month apprenticeship</p> <p><i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i></p>	<p>hours as an apprentice</p> <p>For the limited licenses of esthetician, 300 hours; nail technician, 200 hours; and natural hair braiding, 300 hours</p> <p><i>(63 Pa. Cons. Stat. 510 and 511)</i></p>	<p>cosmetologist, 800 school hours</p> <p>For the limited licenses of esthetician, 600 hours and manicurist, 400 hours</p> <p>West Virginia also offers a license in hair styling, which requires 1,000 school hours</p> <p><i>(W. Va. Code R. 3-1-5, 3-1-6, 3-1-9, and 3-1-10)</i></p>
Experience	No	No	No	No	No	No
Exam	Yes <i>(R.C. 4713.28(A)(5))</i>	Yes <i>(Ind. Code Ann. 25-8-9-3, 25-8-11-4, and 25-8-12.5-4)</i>	Yes <i>(Ky. Rev. Stat. Ann. 317A.050)</i>	Yes, for cosmetologist and manicurist Esthetician must pass exam if an exam is available No exam for license to practice	Yes <i>(63 Pa. Cons. Stat. 509)</i>	Yes <i>(W. Va. Code Ann. 30-27-8)</i>

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
				natural hair cultivation <i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i>		
Continuing education	Eight hours biennially <i>(O.A.C. 4713-21-03)</i>	No <i>(Ind. Code Ann. 25-0.5-4-7 and 25-1-4-0.3)</i>	No	No	No	Four hours annually, those licensed for 20 years are exempt but must complete three hour sanitation class every other year <i>(W. Va. Code R. 3-11-3 and 3-11-4(4.4))</i>
Initial licensure fee	\$40 application fee and \$75 license fee <i>(R.C. 4713.10)</i>	\$40 application/issuance fee plus the examination fee assessed by the professional examination service <i>(820 Ind. Admin. Code 7-1-</i>	\$75 application fee and \$50 license fee <i>(201 Ky. Admin. Regs. 12:260)</i>	\$15 application fee, \$25 examination fee, \$24 annual license fee <i>(Mich. Comp. Laws 338.2225)</i>	\$10 <i>(49 Pa. Code 7.2)</i>	\$35 license fee; examination fee paid directly to third party examiner <i>(W. Va. Code R. 3-6-2(2.1 and 2.2))</i>

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
		<i>1; 820 Ind. Admin. Code 7-1-2)</i>				
License duration	Two years (<i>R.C. 4713.57</i>)	Four years (<i>Ind. Code Ann. 25-1-2-2.1; 820 Ind. Admin. Code 7-1-3</i>)	One year (<i>201 Ky. Admin. Regs. 12:030, Section 11</i>)	Two years (<i>Mich. Admin. Code R. 339.1003</i>)	Two years (<i>63 Pa. Cons. Stat. 525</i>)	One year (<i>W. Va. Code R. 3-6-2(2.4)</i>)
Renewal fee	\$70 (<i>R.C. 4713.10</i>)	\$40 (<i>820 Ind. Admin. Code 7-1-3</i>)	\$50 (<i>201 Ky. Admin. Regs. 12:260</i>)	\$24 (<i>Mich. Comp. Laws 338.2225; Mich. Admin. Code R. 339.1003</i>)	\$67 (<i>49 Pa. Code 7.2</i>)	\$35 (<i>W. Va. Code R. 3-6-2(2.4)</i>)

Esthetician license

Survey responses (COS)

Description
Practice of esthetics means the application of cosmetics, tonics, antiseptics, creams, lotions, or other preparations for the purpose of skin beautification and includes preparation of the skin by manual massage techniques or by use of electrical, mechanical, or other apparatus; enhancement of the skin by skin care, facials, body treatments, hair removal, and other treatments; and eye lash extension services.

Type (See R.C. 4798.01 for relevant definitions.)

License

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	453
Number renewed annually	1,417
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Increased by 128% since 2014
Education or training requirements	600-hour basic program in a licensed school of cosmetology 750-hour advanced program in a licensed school of cosmetology At least a tenth-grade education is required.
Experience requirements	None

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>Practical (hands-on) and Theory (computer-based) examination is required to be passed. The practical is a state constructed exam based on national standards. The theory is a national examination. All exams are administered by examiners employed by the board.</p>
<p>Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>Yes. 8 hours of CE is required to be completed per license renewal period. 1- hour board laws and rules, 2- hours Safety and sanitation, 5- hours scope specific.</p>
<p>Initial fee</p>	<p>\$45</p>
<p>Duration</p>	<p>2-year</p>
<p>Renewal fee (<i>If different from initial fee, please explain why.</i>)</p>	<p>\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).</p>
<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>Yes, reciprocity is authorized under R.C. 4713.34.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>

If the regulation is a registration, certification, or license requirement, please complete the following:

Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Yes, but only if they are exempted under R.C. 4713.17.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.
Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)	Applicants must be at least sixteen years of age to be licensed.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$17,650. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years.

Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions.

Revenue from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers. More importantly, though, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Estheticians, under their scope of practice, can apply caustic chemicals to the face, and body of consumers, and can use potentially dangerous implements such as scalpels, microdermabrasion machines, and other electronic and high frequency devices.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that estheticians have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that estheticians are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

48 other states and the District of Columbia require estheticians/skin care specialists to be licensed (Connecticut permit limited esthetics services without a license). Ohio's 600-hour training requirement is in line with the average of around 600 hours.

Surrounding state comparison (LSC)

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4713.14</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ind. Code Ann. 25-8-9-1, 25-8-11-1, and 25-8-12.5-1</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ky. Rev. Stat. Ann. 317A.020</i>)	Yes, for cosmetologist, esthetician, and manicurist; optional for natural hair stylist (<i>Mich. Comp. Laws 339.1203a</i>)	Yes (<i>63 Pa. Cons. Stat. 508</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>W. Va. Code Ann. 30-27-1</i>)
Education or training	10 th grade or equivalent and, for cosmetologist, 1,500 school hours For the limited licenses of esthetician, 600 school hours; manicurist, 200 school hours; and natural hair stylist, 150 school hours Ohio also offers a license as a hair	10 th grade or equivalent, and 1,500 school hours for a cosmetologist 10 th grade or equivalent and 700 school hours for esthetician 8 th grade or equivalent and 450 school hours for manicurist (<i>Ind. Code Ann. 25-8-9-3, 25-8-12.5-4, and 25-8-</i>	High school diploma or equivalent and, for a cosmetologist, 1,500 school hours For the limited licenses of esthetician, 750 hours and nail technician, 450 hours (<i>Ky. Rev. Stat. Ann. 317A.050</i>)	9 th grade or equivalent and, for a cosmetologist, 1,500 school hours or a two-year apprenticeship For the limited licenses of esthetician, manicurist, or natural hair cultivation, 400 school hours or a	10 th grade or equivalent and, for a cosmetologist, 1,250 school hours or 2,000 hours as an apprentice For the limited licenses of esthetician, 300 hours; nail technician, 200 hours; and natural hair braiding, 300 hours	High school diploma or equivalency and, for a cosmetologist, 800 school hours For the limited licenses of esthetician, 600 hours and manicurist, 400 hours West Virginia also offers a license in hair styling, which

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	designer, which requires 1,200 school hours <i>(R.C. 4713.28)</i>	<i>11-4; 820 Ind. Admin. Code 4-4-4, 4-4-7.1, and 4-4-5)</i>		six-month apprenticeship <i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i>	<i>(63 Pa. Cons. Stat. 510 and 511)</i>	requires 1,000 school hours <i>(W. Va. Code R. 3-1-5, 3-1-6, 3-1-9, and 3-1-10)</i>
Experience	No	No	No	No	No	No
Exam	Yes <i>(R.C. 4713.28(A)(5))</i>	Yes <i>(Ind. Code Ann. 25-8-9-3, 25-8-11-4, and 25-8-12.5-4)</i>	Yes <i>(Ky. Rev. Stat. Ann. 317A.050)</i>	Yes, for cosmetologist and manicurist Esthetician must pass exam if an exam is available No exam for license to practice natural hair cultivation <i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i>	Yes <i>(63 Pa. Cons. Stat. 509)</i>	Yes <i>(W. Va. Code Ann. 30-27-8)</i>

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Continuing education	Eight hours biennially (<i>O.A.C. 4713-21-03</i>)	No (<i>Ind. Code Ann. 25-0.5-4-7 and 25-1-4-0.3</i>)	No	No	No	Four hours annually, those licensed for 20 years are exempt but must complete three hour sanitation class every other year (<i>W. Va. Code R. 3-11-3 and 3-11-4(4.4)</i>)
Initial licensure fee	\$40 application fee and \$75 license fee (<i>R.C. 4713.10</i>)	\$40 application/issuance fee plus the examination fee assessed by the professional examination service (<i>820 Ind. Admin. Code 7-1-1; 820 Ind. Admin. Code 7-1-2</i>)	\$75 application fee and \$50 license fee (<i>201 Ky. Admin. Regs. 12:260</i>)	\$15 application fee, \$25 examination fee, \$24 annual license fee (<i>Mich. Comp. Laws 338.2225</i>)	\$10 (<i>49 Pa. Code 7.2</i>)	\$35 license fee; examination fee paid directly to third party examiner (<i>W. Va. Code R. 3-6-2(2.1 and 2.2)</i>)
License duration	Two years (<i>R.C. 4713.57</i>)	Four years (<i>Ind. Code Ann. 25-1-2-2.1; 820 Ind. Admin. Code 7-1-3</i>)	One year (<i>201 Ky. Admin. Regs. 12:030, Section 11</i>)	Two years (<i>Mich. Admin. Code R. 339.1003</i>)	Two years (<i>63 Pa. Cons. Stat. 525</i>)	One year (<i>W. Va. Code R. 3-6-2(2.4)</i>)

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Renewal fee	\$70 (R.C. 4713.10)	\$40 (820 Ind. Admin. Code 7-1-3)	\$50 (201 Ky. Admin. Regs. 12:260)	\$24 (Mich. Comp. Laws 338.2225; Mich. Admin. Code R. 339.1003)	\$67 (49 Pa. Code 7.2)	\$35 (W. Va. Code R. 3-6-2(2.4))

Hair designer license

Survey responses (COS)

Description
Practice of hair design means embellishing or beautifying hair, wigs, or hairpieces by arranging, dressing, pressing, curling, waving, permanent waving, cleansing, cutting, singeing, bleaching, coloring, braiding, weaving, or similar work. "Practice of hair design" includes utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weaving, extending, locking, or braiding of the hair.
Type (See R.C. 4798.01 for relevant definitions.)
License

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	20
Number renewed annually	156
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Increased by 3% since 2014
Education or training requirements	1200-hour basic program in a licensed school of cosmetology 1440-hour advanced program in a licensed school of cosmetology Must have at least a tenth-grade education
Experience requirements	None
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	Practical (hands-on) and Theory (computer-based) examination is required to be passed. The practical is a state constructed exam based on national standards. The theory is a national examination. All exams are administered by examiners employed by the board.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. eight hours of CE is required to be completed per license renewal period. one-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific
Initial fee	\$45

If the regulation is a registration, certification, or license requirement, please complete the following:	
Duration	two-year
Renewal fee <i>(If different from initial fee, please explain why.)</i>	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).
Does the Board recognize uniform licensure requirements or allow for reciprocity?	Yes, reciprocity is authorized under R.C. 4713.34.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Yes, but only if they are exempted under R.C. 4713.17.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.
Other information <i>(Significant attributes or prerequisites to licensure not addressed in this chart.)</i>	Applicants must be at least sixteen years of age to be licensed.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$1,060. Amount is for FY20 which is a non-renewal year.

Revenue collected is lower in non-renewal years.

Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenue from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers. More importantly, though, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Hair Designers, under their scope of practice, can apply caustic chemicals to hair and scalp of consumers, and can use potentially dangerous implements such as razors and heated implements.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that hair designers have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that hair designers are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm. In addition, this license is already a limited alternative to the full cosmetologist license

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states (How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

12 other states offer a hair designer/hair stylist license as a limited alternative to a full cosmetologist license (those states that do not offer this limited license require a full cosmetologist license). Ohio's 1,200-hour training requirement is in line with the other states who offer a hair design/hair stylist license (training hours range from 1,000 to 1,450).

Surrounding state comparison (LSC)

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4713.14</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ind. Code Ann. 25-8-9-1, 25-8-11-1, and 25-8-12.5-1</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ky. Rev. Stat. Ann. 317A.020</i>)	Yes, for cosmetologist, esthetician, and manicurist; optional for natural hair stylist (<i>Mich. Comp. Laws 339.1203a</i>)	Yes (<i>63 Pa. Cons. Stat. 508</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>W. Va. Code Ann. 30-27-1</i>)
Education or training	10 th grade or equivalent and, for cosmetologist, 1,500 school hours	10 th grade or equivalent, and 1,500 school hours for a cosmetologist	High school diploma or equivalent and, for a cosmetologist,	9 th grade or equivalent and, for a cosmetologist, 1,500 school hours or a	10 th grade or equivalent and, for a cosmetologist, 1,250 school hours or 2,000	High school diploma or equivalency and, for a

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	<p>For the limited licenses of esthetician, 600 school hours; manicurist, 200 school hours; and natural hair stylist, 150 school hours</p> <p>Ohio also offers a license as a hair designer, which requires 1,200 school hours (R.C. 4713.28)</p>	<p>10th grade or equivalent and 700 school hours for esthetician</p> <p>8th grade or equivalent and 450 school hours for manicurist</p> <p><i>(Ind. Code Ann. 25-8-9-3, 25-8-12.5-4, and 25-8-11-4; 820 Ind. Admin. Code 4-4-4, 4-4-7.1, and 4-4-5)</i></p>	<p>1,500 school hours</p> <p>For the limited licenses of esthetician, 750 hours and nail technician, 450 hours</p> <p><i>(Ky. Rev. Stat. Ann. 317A.050)</i></p>	<p>two-year apprenticeship</p> <p>For the limited licenses of esthetician, manicurist, or natural hair cultivation, 400 school hours or a six-month apprenticeship</p> <p><i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i></p>	<p>hours as an apprentice</p> <p>For the limited licenses of esthetician, 300 hours; nail technician, 200 hours; and natural hair braiding, 300 hours</p> <p><i>(63 Pa. Cons. Stat. 510 and 511)</i></p>	<p>cosmetologist, 800 school hours</p> <p>For the limited licenses of esthetician, 600 hours; and manicurist, 400 hours</p> <p>West Virginia also offers a license in hair styling, which requires 1,000 school hours</p> <p><i>(W. Va. Code R. 3-1-5, 3-1-6, 3-1-9, and 3-1-10)</i></p>
Experience	No	No	No	No	No	No
Exam	Yes (R.C. 4713.28(A)(5))	Yes (Ind. Code Ann. 25-8-9-3, 25-8-11-4, and 25-8-12.5-4)	Yes (Ky. Rev. Stat. Ann. 317A.050)	Yes, for cosmetologist and manicurist Esthetician must pass exam if an exam is available No exam for license to practice	Yes (63 Pa. Cons. Stat. 509)	Yes (W. Va. Code Ann. 30-27-8)

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
				natural hair cultivation <i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i>		
Continuing education	Eight hours biennially <i>(O.A.C. 4713-21-03)</i>	No <i>(Ind. Code Ann. 25-0.5-4-7 and 25-1-4-0.3)</i>	No	No	No	Four hours annually, those licensed for 20 years are exempt but must complete three hour sanitation class every other year <i>(W. Va. Code R. 3-11-3 and 3-11-4(4.4))</i>
Initial licensure fee	\$40 application fee and \$75 license fee <i>(R.C. 4713.10)</i>	\$40 application/issuance fee plus the examination fee assessed by the professional examination service <i>(820 Ind. Admin. Code 7-1-1; 820 Ind. Admin. Code 7-1-2)</i>	\$75 application fee and \$50 license fee <i>(201 Ky. Admin. Regs. 12:260)</i>	\$15 application fee, \$25 examination fee, \$24 annual license fee <i>(Mich. Comp. Laws 338.2225)</i>	\$10 <i>(49 Pa. Code 7.2)</i>	\$35 license fee; examination fee paid directly to third party examiner <i>(W. Va. Code R. 3-6-2(2.1 and 2.2))</i>

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License duration	Two years (<i>R.C. 4713.57</i>)	Four years (<i>Ind. Code Ann. 25-1-2-2.1; 820 Ind. Admin. Code 7-1-3</i>)	One year (<i>201 Ky. Admin. Regs. 12:030, Section 11</i>)	Two years (<i>Mich. Admin. Code R. 339.1003</i>)	Two years (<i>63 Pa. Cons. Stat. 525</i>)	One year (<i>W. Va. Code R. 3-6-2(2.4)</i>)
Renewal fee	\$70 (<i>R.C. 4713.10</i>)	\$40 (<i>820 Ind. Admin. Code 7-1-3</i>)	\$50 (<i>201 Ky. Admin. Regs. 12:260</i>)	\$24 (<i>Mich. Comp. Laws 338.2225; Mich. Admin. Code R. 339.1003</i>)	\$67 (<i>49 Pa. Code 7.2</i>)	\$35 (<i>W. Va. Code R. 3-6-2(2.4)</i>)

Manicurist license

Survey responses (COS)

Description

Practice of manicuring means cleaning, trimming, shaping the free edge of, or applying polish to the nails of any individual; applying nail enhancements and embellishments to any individual; massaging the hands and lower arms up to the elbow of any individual; massaging the feet and lower legs up to the knee of any individual; using lotions or softeners on the hands and feet of any individual; or any combination of these types of services.

Type (See R.C. 4798.01 for relevant definitions.)

License

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	616
Number renewed annually	5,016
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Increased by 61% since 2014
Education or training requirements	200-hour basic program in a licensed school of cosmetology 300-hour advanced program in a licensed school of cosmetology Must have at least a tenth-grade education
Experience requirements	None

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>Practical (hands-on) and Theory (computer-based) examination is required to be passed. The practical is a state constructed exam based on national standards. The theory is a national examination. All exams are administered by examiners employed by the board.</p>
<p>Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>Yes. eight hours of CE is required to be completed per license renewal period. one-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.</p>
<p>Initial fee</p>	<p>\$45</p>
<p>Duration</p>	<p>two-year</p>
<p>Renewal fee (<i>If different from initial fee, please explain why.</i>)</p>	<p>\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).</p>
<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>Yes, reciprocity is authorized under R.C. 4713.34.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>

If the regulation is a registration, certification, or license requirement, please complete the following:

Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Yes, but only if they are exempted under R.C. 4713.17.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.
Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)	Applicants must be at least sixteen years of age to be licensed.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$19,530. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in a non-renewal year.

Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions.

Revenue from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable.

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers. More importantly, though, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Manicurists, under their scope of practice, can use potentially dangerous implements such as nail drills and skin graters. In addition, due to the nature of manicuring and pedicures services, there is a high likelihood of spreading infectious and contagious skin diseases such as MRSA and fungal infections if proper safety and infection control protocols are not followed.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that manicurists have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that manicurists are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

48 other states and the District of Columbia require manicurists/nail technicians to be licensed (Connecticut permit limited manicuring services without a license). Ohio's 200-hour training requirement is lower than the average of around 350-400 hours.

Surrounding state comparison (LSC)

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4713.14</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ind. Code Ann. 25-8-9-1, 25-8-11-1, and 25-8-12.5-1</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ky. Rev. Stat. Ann. 317A.020</i>)	Yes, for cosmetologist, esthetician, and manicurist; optional for natural hair stylist (<i>Mich. Comp. Laws 339.1203a</i>)	Yes (<i>63 Pa. Cons. Stat. 508</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>W. Va. Code Ann. 30-27-1</i>)
Education or training	10 th grade or equivalent and, for cosmetologist, 1,500 school hours For the limited licenses of esthetician, 600 school hours; manicurist, 200 school hours; and natural hair stylist, 150 school hours Ohio also offers a license as a hair	10 th grade or equivalent, and 1,500 school hours for a cosmetologist 10 th grade or equivalent and 700 school hours for esthetician 8 th grade or equivalent and 450 school hours for manicurist <i>(Ind. Code Ann. 25-8-9-3, 25-8-12.5-4, and 25-8-</i>	High school diploma or equivalent and, for a cosmetologist, 1,500 school hours For the limited licenses of esthetician, 750 hours and nail technician, 450 hours <i>(Ky. Rev. Stat. Ann. 317A.050)</i>	9 th grade or equivalent and, for a cosmetologist, 1,500 school hours or a two-year apprenticeship For the limited licenses of esthetician, manicurist, or natural hair cultivation, 400 school hours or a	10 th grade or equivalent and, for a cosmetologist, 1,250 school hours or 2,000 hours as an apprentice For the limited licenses of esthetician, 300 hours; nail technician, 200 hours; and natural hair braiding, 300 hours	High school diploma or equivalency and, for a cosmetologist, 800 school hours For the limited licenses of esthetician, 600 hours; and manicurist, 400 hours West Virginia also offers a license in hair styling, which

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	designer, which requires 1,200 school hours <i>(R.C. 4713.28)</i>	<i>11-4; 820 Ind. Admin. Code 4-4-4, 4-4-7.1, and 4-4-5)</i>		six-month apprenticeship <i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i>	<i>(63 Pa. Cons. Stat. 510 and 511)</i>	requires 1,000 school hours <i>(W. Va. Code R. 3-1-5, 3-1-6, 3-1-9, and 3-1-10)</i>
Experience	No	No	No	No	No	No
Exam	Yes <i>(R.C. 4713.28(A)(5))</i>	Yes <i>(Ind. Code Ann. 25-8-9-3, 25-8-11-4, and 25-8-12.5-4)</i>	Yes <i>(Ky. Rev. Stat. Ann. 317A.050)</i>	Yes, for cosmetologist and manicurist Esthetician must pass exam if an exam is available No exam for license to practice natural hair cultivation <i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i>	Yes <i>(63 Pa. Cons. Stat. 509)</i>	Yes <i>(W. Va. Code Ann. 30-27-8)</i>

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Continuing education	Eight hours biennially (<i>O.A.C. 4713-21-03</i>)	No (<i>Ind. Code Ann. 25-0.5-4-7 and 25-1-4-0.3</i>)	No	No	No	Four hours annually, those licensed for 20 years are exempt but must complete three hour sanitation class every other year (<i>W. Va. Code R. 3-11-3 and 3-11-4(4.4)</i>)
Initial licensure fee	\$40 application fee and \$75 license fee (<i>R.C. 4713.10</i>)	\$40 application/issuance fee plus the examination fee assessed by the professional examination service (<i>820 Ind. Admin. Code 7-1-1; 820 Ind. Admin. Code 7-1-2</i>)	\$75 application fee and \$50 license fee (<i>201 Ky. Admin. Regs. 12:260</i>)	\$15 application fee, \$25 examination fee, \$24 annual license fee (<i>Mich. Comp. Laws 338.2225</i>)	\$10 (<i>49 Pa. Code 7.2</i>)	\$35 license fee; examination fee paid directly to third party examiner (<i>W. Va. Code R. 3-6-2(2.1 and 2.2)</i>)
License duration	Two years (<i>R.C. 4713.57</i>)	Four years (<i>Ind. Code Ann. 25-1-2-2.1; 820 Ind. Admin. Code 7-1-3</i>)	One year (<i>201 Ky. Admin. Regs. 12:030, Section 11</i>)	Two years (<i>Mich. Admin. Code R. 339.1003</i>)	Two years (<i>63 Pa. Cons. Stat. 525</i>)	One year (<i>W. Va. Code R. 3-6-2(2.4)</i>)

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Renewal fee	\$70 (R.C. 4713.10)	\$40 (820 Ind. Admin. Code 7-1-3)	\$50 (201 Ky. Admin. Regs. 12:260)	\$24 (Mich. Comp. Laws 338.2225; Mich. Admin. Code R. 339.1003)	\$67 (49 Pa. Code 7.2)	\$35 (W. Va. Code R. 3-6-2(2.4))

Natural hair stylist license

Survey responses (COS)

Description
Practice of natural hair styling means utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weaving, extending, locking, or braiding of the hair. "Practice of natural hair styling" does not include the application of dyes, reactive chemicals, or other preparations to alter the color or to straighten, curl, or alter the structure of the hair. "Practice of natural hair styling" also does not include embellishing or beautifying hair by cutting or singeing, except as needed to finish off the end of a braid, or by dressing, pressing, curling, waving, permanent waving, or similar work.
Type (See R.C. 4798.01 for relevant definitions.)
License

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	2
Number renewed annually	7
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Increased 100% since 2014
Education or training requirements	450-hour basic program in a licensed school of cosmetology 600-hour advanced program in a licensed school of cosmetology Must have at least a tenth-grade education
Experience requirements	None
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	Practical (hands-on) and Theory (computer-based) examination is required to be passed. The practical is a state constructed exam based on national standards. The theory is a national examination. All exams are administered by examiners employed by the board.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45

If the regulation is a registration, certification, or license requirement, please complete the following:	
Duration	two-year
Renewal fee <i>(If different from initial fee, please explain why.)</i>	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).
Does the Board recognize uniform licensure requirements or allow for reciprocity?	Yes, reciprocity is authorized under R.C. 4713.34
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Yes, but only if they are exempted under R.C. 4713.17.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.
Other information <i>(Significant attributes or prerequisites to licensure not addressed in this chart.)</i>	Applicants must be at least sixteen years of age to be licensed.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$90.00. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years. Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenue from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers. More importantly, though, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Natural Hair Stylists, if they do not follow proper techniques, can cause permanent damage to the hair and scalp of consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that natural hair stylists have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that natural hair stylists are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. A potential, less restrictive alternative would be to expand the boutique registration for braiding to include all natural hair styling services.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions. In addition, while the Board takes no position one way or the other, this license has become seldom used since the creation of the boutique registration for braiding by SB213 in 2016. If the definition of “braiding” was expanded to encompass all practices under the definition of “practice of natural hair styling,” then this license could potentially be eliminated.

Comparison to other states (*How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?*)

9 other states offer a natural hair stylist license as a limited alternative to full cosmetologist or hair designer/hair stylist licenses (28 states provide a regulatory exception for the limited practice of braiding, and the remaining states require a full cosmetologist or hair designer/hair stylist license). Ohio's 450-hour training requirement is higher than most of the other states who offer a natural hair stylist license (training hours average around 300).

Surrounding state comparison (LSC)

Under Ohio law, the practice of “natural hair styling” means utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weaving, extending, locking, or braiding of the hair.¹¹ A practitioner must be licensed and may practice only in a licensed cosmetology salon, or a registered boutique salon.¹²

This type of practice is similarly defined in Michigan as “natural hair cultivation,”¹³ and in Pennsylvania as “natural hair braiding,”¹⁴ and is subject to licensure in those states. However, licensing in Michigan is optional, as an individual may engage in natural hair cultivation for compensation and may operate an establishment where natural hair cultivation only is practiced without an individual or establishment license.¹⁵ In Pennsylvania it is unlawful to practice natural hair braiding for pay in any place other than a licensed salon.¹⁶

¹¹ R.C. 4713.01.

¹² R.C. 4713.01 and 4713.35. A “boutique salon” is a salon in which an individual engages in boutique services and no other branch of cosmetology. “Boutique services” means braiding, threading, shampooing, and makeup artistry.

¹³ Mich. Comp. Laws 339.1201.

¹⁴ 63 Pa. Cons. Stat. 507.

¹⁵ Mich. Comp. Laws 339.1210a.

¹⁶ 63 Pa. Cons. Stat. 514.

Indiana also similarly defines the practice as “natural hair braiding,” but expressly exempts the practice from regulation.¹⁷ Kentucky and West Virginia do not require a license for that limited practice.

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4713.14</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ind. Code Ann. 25-8-9-1, 25-8-11-1, and 25-8-12.5-1</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>Ky. Rev. Stat. Ann. 317A.020</i>)	Yes, for cosmetologist, esthetician, and manicurist; optional for natural hair stylist (<i>Mich. Comp. Laws 339.1203a</i>)	Yes (<i>63 Pa. Cons. Stat. 508</i>)	Yes, for cosmetologist, esthetician, and manicurist; no license required for natural hair stylist (<i>W. Va. Code Ann. 30-27-1</i>)
Education or training	10 th grade or equivalent and, for cosmetologist, 1,500 school hours For the limited licenses of esthetician, 600 school hours; manicurist, 200 school hours; and natural hair	10 th grade or equivalent, and 1,500 school hours for a cosmetologist 10 th grade or equivalent and 700 school hours for esthetician 8 th grade or equivalent and	High school diploma or equivalent and, for a cosmetologist, 1,500 school hours For the limited licenses of esthetician, 750 hours and nail technician, 450 hours	9 th grade or equivalent and, for a cosmetologist, 1,500 school hours or a two-year apprenticeship For the limited licenses of esthetician, manicurist, or natural hair	10 th grade or equivalent and, for a cosmetologist, 1,250 school hours or 2,000 hours as an apprentice For the limited licenses of esthetician, 300 hours; nail technician, 200	High school diploma or equivalency and, for a cosmetologist, 800 school hours For the limited licenses of esthetician, 600 hours; and manicurist, 400 hours

¹⁷ Ind. Code Ann. 25-8-2-20 and 25-8-1.1-1.

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	stylist, 150 school hours Ohio also offers a license as a hair designer, which requires 1,200 school hours <i>(R.C. 4713.28)</i>	450 school hours for manicurist <i>(Ind. Code Ann. 25-8-9-3, 25-8-12.5-4, and 25-8-11-4; 820 Ind. Admin. Code 4-4-4, 4-4-7.1, and 4-4-5)</i>	<i>(Ky. Rev. Stat. Ann. 317A.050)</i>	cultivation, 400 school hours or a six-month apprenticeship <i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i>	hours; and natural hair braiding, 300 hours <i>(63 Pa. Cons. Stat. 510 and 511)</i>	West Virginia also offers a license in hair styling, which requires 1,000 school hours <i>(W. Va. Code R. 3-1-5, 3-1-6, 3-1-9, and 3-1-10)</i>
Experience	No	No	No	No	No	No
Exam	Yes <i>(R.C. 4713.28(A)(5))</i>	Yes <i>(Ind. Code Ann. 25-8-9-3, 25-8-11-4, and 25-8-12.5-4)</i>	Yes <i>(Ky. Rev. Stat. Ann. 317A.050)</i>	Yes, for cosmetologist and manicurist Esthetician must pass exam if an exam is available No exam for license to practice natural hair cultivation <i>(Mich. Comp. Laws 339.1207, 339.1209, 339.1210, and 339.1210a)</i>	Yes <i>(63 Pa. Cons. Stat. 509)</i>	Yes <i>(W. Va. Code Ann. 30-27-8)</i>

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Continuing education	Eight hours biennially (<i>O.A.C. 4713-21-03</i>)	No (<i>Ind. Code Ann. 25-0.5-4-7 and 25-1-4-0.3</i>)	No	No	No	Four hours annually, those licensed for 20 years are exempt but must complete three hour sanitation class every other year (<i>W. Va. Code R. 3-11-3 and 3-11-4(4.4)</i>)
Initial licensure fee	\$40 application fee and \$75 license fee (<i>R.C. 4713.10</i>)	\$40 application/issuance fee plus the examination fee assessed by the professional examination service (<i>820 Ind. Admin. Code 7-1-1; 820 Ind. Admin. Code 7-1-2</i>)	\$75 application fee and \$50 license fee (<i>201 Ky. Admin. Regs. 12:260</i>)	\$15 application fee, \$25 examination fee, \$24 annual license fee (<i>Mich. Comp. Laws 338.2225</i>)	\$10 (<i>49 Pa. Code 7.2</i>)	\$35 license fee; examination fee paid directly to third party examiner (<i>W. Va. Code R. 3-6-2(2.1 and 2.2)</i>)
License duration	Two years (<i>R.C. 4713.57</i>)	Four years (<i>Ind. Code Ann. 25-1-2-2.1; 820 Ind. Admin. Code 7-1-3</i>)	One year (<i>201 Ky. Admin. Regs. 12:030, Section 11</i>)	Two years (<i>Mich. Admin. Code R. 339.1003</i>)	Two years (<i>63 Pa. Cons. Stat. 525</i>)	One year (<i>W. Va. Code R. 3-6-2(2.4)</i>)

Cosmetologist, Esthetician, Manicurist, and Natural Hair Stylist						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Renewal fee	\$70 (R.C. 4713.10)	\$40 (820 Ind. Admin. Code 7-1-3)	\$50 (201 Ky. Admin. Regs. 12:260)	\$24 (Mich. Comp. Laws 338.2225; Mich. Admin. Code R. 339.1003)	\$67 (49 Pa. Code 7.2)	\$35 (W. Va. Code R. 3-6-2(2.4))

Advanced cosmetologist license

Survey responses (AGO)

Description
A license to work in a salon and practice the branch of cosmetology practiced at the salon.
Type (See R.C. 4798.01 for relevant definitions.)
License. This license is an optional, additional license. It is not required to practice the occupation but may provide additional training and reciprocity options. It is also required to obtain the applicable instructor license, if desired.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	146
Number renewed annually	45,974
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	The Advanced license has decreased by 13% since 2014. This partially reflects a change from the managers license requirements to the renamed Advanced license by SB213 in 2016. The restriction requiring a licensee to hold a manager’s license to work alone in a salon or to hold an independent contractor license was removed by SB213 in 2016.
Education or training requirements	300 additional hours training in a licensed school of cosmetology or 1800 hours of work experience required and passing the theory examination.
Experience requirements	Can be eligible to test with 1800 hours of work experience
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A state constructed Theory (computer-based) examination administered by the board. \$40 exam fee
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. Eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	two-year

If the regulation is a registration, certification, or license requirement, please complete the following:	
Renewal fee <i>(If different from initial fee, please explain why.)</i>	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).
Does the Board recognize uniform licensure requirements or allow for reciprocity?	No. Ohio is the only state that has an Advanced license.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Yes, but only if they are exempted under R.C. 4713.17.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64
Other information <i>(Significant attributes or prerequisites to licensure not addressed in this chart.)</i>	If a person has a basic cosmetology license and passes the required theory exam to upgrade to an advanced license, the person will hold one license that is an Advanced cosmetology license.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$40, 180. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years.
Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions.
Revenues from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulation seeks to prevent the same harms as the basic cosmetology license. The Advanced Cosmetology license also seeks to ensure that those who wish to provide more complicated services or serve as an instructor have received additional training.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that advanced cosmetologists have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that advanced cosmetologists are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. This license is an optional license beyond what is needed to practice cosmetology in Ohio.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Ohio is the only state that has an Advanced license. The license, however, is optional.

Surrounding state comparison (LSC)

In Ohio, an individual holding a practicing license in a branch of cosmetology may be eligible for an advanced license in that branch of cosmetology if the individual has passed an advanced license examination and has either (1) practiced for 1,800 hours in a licensed salon or barber shop or (2) completed an advanced training course of 100 to 300 hours, depending on the branch of cosmetology. An individual may also choose to complete a combined practicing and advanced training course and pass a combined examination to be issued an advanced license. Additionally, an individual must hold an advanced license to be eligible for an instructor license in a branch of cosmetology, on meeting other requirements established by law.¹⁸ None of the surrounding states offer an advanced cosmetology license, and only West Virginia does not require an individual to hold a practicing license to be eligible for an instructor license.¹⁹

¹⁸ R.C. 4713.25, 4713.30, and 4713.31.

¹⁹ Ind. Code Ann. 25-8-6-3, Ky. Rev. Stat. Ann. 317A.050, Mich. Comp. Laws 339.1206, 63 Pa. Cons. Stat. 510, and W. Va. Code Ann. 30-27-16.

Advanced esthetician license

Survey responses (COS)

Description

An individual authorized to work in an esthetics salon, but no other type of salon, and engage in the practice of esthetics, but no other branch of cosmetology.

Type *(See R.C. 4798.01 for relevant definitions.)*

License. This license is an optional, additional license. It is not required to practice the occupation but may provide additional training and reciprocity options. It is also required to obtain the applicable instructor license, if desired.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually

237

Number renewed annually

3,404

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	<p>Increased by 25% since 2014. The Esthetics arena has expanded in recent years with more focus on healthy and younger looking skin.</p> <p>There have been many new esthetic procedures and chemicals developed.</p>
Education or training requirements	150 additional hours training in a licensed school of cosmetology or 1800 hours of work experience required and passing the theory examination.
Experience requirements	Can be eligible to test with 1800 hours of work experience.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A state constructed Theory (computer-based) examination administered by the board. \$40 exam fee
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	two-year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. Ohio is the only state that has an Advanced license.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>Yes, but only if they are exempted under R.C. 4713.17.</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>If a person has a basic esthetics license and passes the required theory exam to upgrade to an advanced license, the person will hold one license that is an Advanced esthetics license.</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board’s laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?
How is that revenue used?**

\$13,935. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years. Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenues from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulation seeks to prevent the same harms as the basic esthetician license. The Advanced Cosmetology license also seeks to ensure that those who wish to provide more complicated services or serve as an instructor have received additional training.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that advanced estheticians have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that advanced estheticians are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. This license is an optional license beyond what is needed to practice esthetics in Ohio.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Ohio is the only state that has an Advanced license. The license, however, is optional.

Advanced hair designer license

Survey responses (COS)

Description

An individual authorized to work in a hair design salon, but no other type of salon, and engage in the practice of hair design, but no other branch of cosmetology.

Type *(See R.C. 4798.01 for relevant definitions.)*

License. This license is an optional, additional license. It is not required to practice the occupation but may provide additional training and reciprocity options. It is also required to obtain the applicable instructor license, if desired.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually

0

Number renewed annually

121

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Decreased by 12%
Education or training requirements	240 additional hours training in a licensed school of cosmetology or 1800 hours of work experience required and passing the theory examination.
Experience requirements	Is eligible to test with 1800 hours of work experience
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A state constructed Theory (computer-based) examination administered by the board. \$40 exam fee
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	Two-year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. Ohio is the only state that has an Advanced license.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>Yes, but only if they are exempted under R.C. 4713.17.</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>If a person has a basic hair designer license and passes the required theory exam to upgrade to an advanced license, the person will hold one license that is an Advanced Hair Designer license.</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board’s laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$225.00. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years. Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenues from fees are for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulation seeks to prevent the same harms as the basic hair designer license. The Advanced Cosmetology license also seeks to ensure that those who wish to provide more complicated services or serve as an instructor have received additional training.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that advanced hair designers have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that advanced hair designers are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. This license is an optional license beyond what is needed to practice hair design in Ohio.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Advanced manicurist license

Survey responses (COS)

Description

An individual authorized to work in a nail salon, but no other type of salon, and engage in the practice of manicuring, but no other branch of cosmetology

Type *(See R.C. 4798.01 for relevant definitions.)*

License. This license is an optional, additional license. It is not required to practice the occupation but may provide additional training and reciprocity options. It is also required to obtain the applicable instructor license, if desired.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually

168

Number renewed annually

7,796

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Decreased by 5% since 2014
Education or training requirements	100 additional hours training in a licensed school of cosmetology or 1800 hours of work experience required and passing the theory examination.
Experience requirements	Is eligible to test with 1800 hours of work experience
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A state constructed Theory (computer-based) examination administered by the board. \$40 exam fee
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	Two-year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. Ohio is the only state that has an Advanced license.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>Yes, but only if they are exempted under R.C. 4713.17.</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>None.</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?
How is that revenue used?**

\$14,465. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years. Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenue from fees are used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulation seeks to prevent the same harms as the basic manicuring license. The Advanced Cosmetology license also seeks to ensure that those who wish to provide more complicated services or serve as an instructor have received additional training.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that advanced manicurists have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that advanced manicurists are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. This license is an optional license beyond what is needed to practice manicuring in Ohio.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Ohio is the only state that has an Advanced license. The license, however, is optional.

Advanced natural hair stylist license

Survey responses (COS)

Description

An individual authorized to work in a natural hair style salon, but no other type of salon, and engage in the practice of natural hair styling, but no other branch of cosmetology.

Type *(See R.C. 4798.01 for relevant definitions.)*

License. This license is an optional, additional license. It is not required to practice the occupation but may provide additional training and reciprocity options. It is also required to obtain the applicable instructor license, if desired.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	1
Number renewed annually	39

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Increased by 42%
Education or training requirements	150 additional hours training in a licensed school of cosmetology or 1800 hours of work experience required and passing the theory examination.
Experience requirements	Is eligible to test with 1800 hours of work experience
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A state constructed Theory (computer-based) examination administered by the board. \$40 exam fee
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	Two-year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. Ohio is the only state that has an Advanced license.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>Yes, but only if they are exempted under R.C. 4713.17.</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>If a person has a basic natural hair stylist license and passes the required theory exam to upgrade to an advanced license, the person will hold one license that is an Advanced Natural Hair Stylist license.</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board’s laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$70.00. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years. Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenues from fees are used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulation seeks to prevent the same harms as the basic manicuring license. The Advanced Cosmetology license also seeks to ensure that those who wish to provide more complicated services or serve as an instructor have received additional training.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that advanced natural hair stylists have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that advanced natural hair stylists are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. This license is an optional license beyond what is needed to practice natural hair styling in Ohio

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

In addition, while the Board takes no position one way or the other, this license has become seldom used since the creation of the boutique registration for braiding by SB213 in 2016. If the definition of “braiding” was expanded to encompass all practices under the definition of “practice of natural hair styling,” then this license could potentially be eliminated.

Comparison to other states *(How many other states regulate the occupation? How do Ohio’s regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Ohio is the only state that has an Advanced license. The license, however, is optional.

Cosmetology instructor license

Survey responses (COS)

Description	
An individual authorized to teach the theory and practice of all branches of cosmetology at a school of cosmetology.	
Type <i>(See R.C. 4798.01 for relevant definitions.)</i>	
License	
If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	78
Number renewed annually	3,748

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Decreased by 30% since 2014. In July 2018 the board, per R.C., began to require passing an examination to receive the license. Much of the decrease came after that date.
Education or training requirements	1000 hours of board-approved cosmetology instructor training as an apprentice instructor or has been employed in the practice of cosmetology for at least 1800 hours of work experience.
Experience requirements	May complete an instructor training program or have 1800 hours of work experience.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A national Theory (computer-based) examination administered by the board. \$40 exam fee
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. Eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	Two-year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).

If the regulation is a registration, certification, or license requirement, please complete the following:	
Does the Board recognize uniform licensure requirements or allow for reciprocity?	Yes, reciprocity is authorized under R.C. 4713.34.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	No
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.
Other information <i>(Significant attributes or prerequisites to licensure not addressed in this chart.)</i>	Must hold a current, active Advanced cosmetology license.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board’s laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$6,755. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years. Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenue from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers.

Like with the Board’s practicing licenses, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Cosmetologists, under their scope of practice, can apply caustic chemicals to hair, scalp, face, and body of consumers, and can use potentially dangerous implements such as scalpels, microdermabrasion machines, and other electronic and high frequency devices. This regulation ensures that cosmetology students receive their instruction from qualified, knowledgeable instructors.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that cosmetology instructors have the ability to educate cosmetology students to develop the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that cosmetology instructors are continuing to provide effective instruction on the appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those of other states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

44 other states and the District of Columbia require cosmetology teachers/instructors to be licensed. Requirements vary, but typically consist of a period of experience as a licensee or assistant teacher plus specific instructor training hours and an examination. Ohio's requirement of either 1,800 hours of experience plus an examination or 1,000 hours of apprentice instructor training and an examination is less than the national average, which typically requires experience AND a training program in addition to an examination.

Surrounding state comparison (LSC)

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4713.14(E)</i>)	Yes (<i>Ind. Code Ann. 25-8-6-1</i>)	Yes (<i>Ky. Rev. Stat. Ann. 317A.020 (3)(a)</i>)	Yes (<i>Mich. Comp. Laws 339.1206</i>)	Yes (<i>63 Pa. Cons. Stat. 508</i>)	Yes - instructor certificate (<i>W. Va. Code Ann. 30-27-16</i>)
Education or training	Holds an advanced cosmetologist license, or one of the advanced limited licenses, and has either engaged in the practice for 1,800 hours, or has completed the following instructor training applicable to the licensee: cosmetologist, 1,000 hours; esthetician, 500 hours; hair design, 800 hours; manicurist, 300 hours; natural hair stylist, 400	Holds a cosmetologist license or one of the limited licenses, and 1,000 school hours of instructor training (<i>Ind. Code Ann. 25-8-6-3; 820 Ind. Admin. Code 4-4-7.2</i>)	Must have been licensed as a practitioner for one year and have completed a 750-hour instructor course of study; esthetics or nail technology instructors must also have 50 hours of specialized training in the past two years (<i>Ky. Rev. Stat. Ann. 317A.050(7), (8), (9), and (10)</i>)	Licensed cosmetologist who has completed 500 hours of instructor training (<i>Mich. Comp. Laws 339.1206</i>)	12 th grade or equivalent and 500 hours of instruction in a cosmetology teacher curriculum (<i>49 Pa. Code 7.32b</i>)	High school diploma or equivalent, post-secondary level teaching techniques course, and graduated from a recognized school of barbering, hair styling, aesthetics, nail technology, or cosmetology (<i>W. Va. Code R. 3-2-2</i>)

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	hours (<i>R.C. 4713.31</i>)					
Experience	No	Six months practice as a cosmetologist or under the limited license practice being taught (<i>820 Ind. Admin. Code 4-3-1</i>)	Four and one-half month apprenticeship (<i>Ky. Rev. Stat. Ann. 317A.050(8)</i>)	Three years of practical experience in natural hair cultivation, hair care services, skin care services, and manicuring services, at least one year must be in a cosmetology establishment (<i>Mich. Comp. Laws 339.1206</i>)	Possess current license (<i>49 Pa. Code 7.32b</i>)	No
Exam	Yes (<i>R.C. 4713.31(J)</i>)	Yes (<i>Ind. Code Ann. 25-8-6-3</i>)	Yes (<i>Ky. Rev. Stat. Ann. 317A.050(8), (9), and (10)</i>)	Yes (<i>Mich. Comp. Laws 339.1206</i>)	Yes (<i>63 Pa. Cons. Stat. 509</i>)	Yes (<i>W. Va. Code Ann. 30-27-16</i>)
Continuing education	Eight hours every two years (<i>O.A.C. 4713-21-03</i>)	No	No	No	No	Four hours annually (<i>W. Va. Code R. 3-11-3</i>)
Initial licensure fee	\$40 application fee and \$75 license fee (<i>R.C. 4713.10</i>)	\$40 application/issuance fee plus the examination fee assessed by the professional	\$75 application fee and \$50 license fee (<i>201</i>)	\$15 application fee, \$25 examination fee, \$24 annual license fee (<i>Mich.</i>)	\$10 (<i>49 Pa. Code 7.2</i>)	\$50 license fee; examination fee paid directly to third party examiner (<i>W. Va.</i>)

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
		examination service (820 Ind. Admin. Code 7-1-1 and 7-1-2)	Ky. Admin. Regs. 12:260)	Comp. Laws 338.2225)		Code R. 3-6-2(2.1 and 2.7))
License duration	Two years (R.C. 4713.57)	Four years (Ind. Code Ann. 25-1-2-2.1; 820 Ind. Admin. Code 7-1-3)	One year (201 Ky. Admin. Regs. 12:030, Section 11)	Two years (Mich. Admin. Code R. 339.1003)	Two years (63 Pa. Cons. Stat. 525)	One year (W. Va. Code R. 3-6-2(2.8))
Renewal fee	\$70 (R.C. 4713.10)	\$40 (820 Ind. Admin. Code 7-1-3)	\$50 (201 Ky. Admin. Regs. 12:260)	\$48 (Mich. Comp. Laws 338.2225; Mich. Admin. Code R. 339.1003)	\$105 (49 Pa. Code 7.2)	\$55 (W. Va. Code R. 3-6-2(2.8))

Esthetics instructor license

Survey responses (AGO)

Description
An individual who teaches the theory and practice of esthetics, but no other branch of cosmetology, at a school of cosmetology.

Type (See R.C. 4798.01 for relevant definitions.)

License

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	14
Number renewed annually	131
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Decreased by 12% since 2014. In July 2018 the board, per ORC, began to require passing an examination to receive the license. Much of the decrease came after that date.
Education or training requirements	500 hours of board-approved esthetics instructor training as an apprentice instructor or has been employed in the practice of esthetics for at least 1800 hours of work experience.
Experience requirements	May complete an instructor training program or have 1800 hours of work experience.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A national Theory (computer-based) examination administered by the board. \$40 exam fee

If the regulation is a registration, certification, or license requirement, please complete the following:	
Continuing education requirements <i>(Including a description of the curriculum and the process of setting it.)</i>	Yes. Eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	two-year
Renewal fee <i>(If different from initial fee, please explain why.)</i>	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).
Does the Board recognize uniform licensure requirements or allow for reciprocity?	Yes, reciprocity is authorized under R.C. 4713.34.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	No
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.

If the regulation is a registration, certification, or license requirement, please complete the following:

Other information (*Significant attributes or prerequisites to licensure not addressed in this chart.*)

Must hold a current, active Advanced esthetics license.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$765. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years. Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenue from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers. Like with the Board’s practicing licenses, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Estheticians, under their scope of practice, can apply caustic chemicals to the face and body of consumers, and can use potentially dangerous implements such as scalpels, microdermabrasion machines, and other electronic and high frequency devices. This regulation ensures that esthetics students receive their instruction from qualified, knowledgeable instructors.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that esthetics instructors have to ability to educate esthetics students to develop the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that esthetics instructors are continuing to provide effective instruction on the appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states (*How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?*)

44 other states and the District of Columbia require individual who teach or instruct esthetics to be licensed. Requirements vary, but typically consist of a period of experience as a licensee or assistant teacher plus specific instructor training hours and an examination. Ohio's requirement of either 1,800 hours of experience plus an examination or 500 hours of apprentice instructor training and an examination is less than the national average, which typically requires experience AND a training program in addition to an examination.

Surrounding state comparison (LSC)

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4713.14(E)</i>)	Yes (<i>Ind. Code Ann. 25-8-6-1</i>)	Yes (<i>Ky. Rev. Stat. Ann. 317A.020 (3)(a)</i>)	Yes (<i>Mich. Comp. Laws 339.1206</i>)	Yes (<i>63 Pa. Cons. Stat. 508</i>)	Yes - instructor certificate (<i>W. Va. Code Ann. 30-27-16</i>)
Education or training	Holds an advanced	Holds a cosmetologist	Must have been licensed as a	Licensed cosmetologist	12 th grade or equivalent and	High school diploma or

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	<p>cosmetologist license, or one of the advanced limited licenses, and has either engaged in the practice for 1,800 hours</p> <p>Has completed the following instructor training applicable to the licensee:</p> <ol style="list-style-type: none"> 1. Cosmetologist 1,000 hours; 2. Esthetician 500 hours; 3. Hair design 800 hours; 4. Manicurist 300 hours; 5. Natural hair stylist 400 hours <p>(R.C. 4713.31)</p>	<p>license or one of the limited licenses, and 1,000 school hours of instructor training (Ind. Code Ann. 25-8-6-3; 820 Ind. Admin. Code 4-4-7.2)</p>	<p>practitioner for one year and have completed a 750-hour instructor course of study</p> <p>Esthetics or nail technology instructors must also have 50 hours of specialized training in the past two years</p> <p>(Ky. Rev. Stat. Ann. 317A.050(7), (8), (9), and (10))</p>	<p>who has completed 500 hours of instructor training (Mich. Comp. Laws 339.1206)</p>	<p>500 hours of instruction in a cosmetology teacher curriculum (49 Pa. Code 7.32b)</p>	<p>equivalent, post-secondary level teaching techniques course, and graduated from a recognized school of barbering, hair styling, aesthetics, nail technology, or cosmetology (W. Va. Code R. 3-2-2)</p>

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Experience	No	Six months practice as a cosmetologist or under the limited license practice being taught (820 Ind. Admin. Code 4-3-1)	Four and one-half month apprenticeship (Ky. Rev. Stat. Ann. 317A.050(8))	Three years of practical experience in natural hair cultivation, hair care services, skin care services, and manicuring services, at least one year must be in a cosmetology establishment (Mich. Comp. Laws 339.1206)	Possess current license (49 Pa. Code 7.32b)	No
Exam	Yes (R.C. 4713.31(J))	Yes (Ind. Code Ann. 25-8-6-3)	Yes (Ky. Rev. Stat. Ann. 317A.050(8), (9), and (10))	Yes (Mich. Comp. Laws 339.1206)	Yes (63 Pa. Cons. Stat. 509)	Yes (W. Va. Code Ann. 30-27-16)
Continuing education	Eight hours every two years (O.A.C. 4713-21-03)	No	No	No	No	Four hours annually (W. Va. Code R. 3-11-3)
Initial licensure fee	\$40 application fee and \$75 license fee (R.C. 4713.10)	\$40 application/issuance fee plus the examination fee assessed by the professional examination service (820 Ind.	\$75 application fee and \$50 license fee (201 Ky. Admin. Regs. 12:260)	\$15 application fee, \$25 examination fee, \$24 annual license fee (Mich. Comp. Laws 338.2225)	\$10 (49 Pa. Code 7.2)	\$50 license fee; examination fee paid directly to third party examiner (W. Va. Code R. 3-6-2(2.1 and 2.7))

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
		<i>Admin. Code 7-1-1 and 7-1-2)</i>				
License duration	Two years (<i>R.C. 4713.57</i>)	Four years (<i>Ind. Code Ann. 25-1-2-2.1; 820 Ind. Admin. Code 7-1-3</i>)	One year (<i>201 Ky. Admin. Regs. 12:030, Section 11</i>)	Two years (<i>Mich. Admin. Code R. 339.1003</i>)	Two years (<i>63 Pa. Cons. Stat. 525</i>)	One year (<i>W. Va. Code R. 3-6-2(2.8)</i>)
Renewal fee	\$70 (<i>R.C. 4713.10</i>)	\$40 (<i>820 Ind. Admin. Code 7-1-3</i>)	\$50 (<i>201 Ky. Admin. Regs. 12:260</i>)	\$48 (<i>Mich. Comp. Laws 338.2225; Mich. Admin. Code R. 339.1003</i>)	\$105 (<i>49 Pa. Code 7.2</i>)	\$55 (<i>W. Va. Code R. 3-6-2(2.8)</i>)

Hair design instructor license

Survey responses (COS)

Description
An individual who teaches the theory and practice of hair design, but no other branch of cosmetology, at a school of cosmetology.

Type (See R.C. 4798.01 for relevant definitions.)

License

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	0
Number renewed annually	4
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	No change
Education or training requirements	800 hours of board-approved hair design instructor training as an apprentice instructor or has been employed in the practice of cosmetology or hair design for at least 1800 hours of work experience.
Experience requirements	May complete an instructor training program or have 1800 hours of work experience.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A national Theory (computer-based) examination administered by the board. \$40 exam fee.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. Eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	Two-year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).
Does the Board recognize uniform licensure requirements or allow for reciprocity?	Yes, reciprocity is authorized under R.C. 4713.34.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No

If the regulation is a registration, certification, or license requirement, please complete the following:

Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	No
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.
Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)	Must hold a current, active Advanced hair design license.

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?
How is that revenue used?**

\$0.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (*See, R.C. 4798.02(B).*)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers.

Like with the Board’s practicing licenses, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Hair Designers, under their scope of practice, can apply caustic chemicals to hair and scalp of consumers, and can use potentially dangerous implements such as razors and heated implements. This regulation ensures that hair design students receive their instruction from qualified, knowledgeable instructors.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that hair design instructors have the ability to educate hair design students in order to develop the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that hair design instructors are continuing to provide effective instruction on the appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those of other states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

44 other states and the District of Columbia require individual who teach or instruct hair design or hair styling to be licensed (only 5 have a specific hair design or hairstyling instructor license, while the rest require a full cosmetology instructor license). Requirements vary, but typically consist of a period of experience as a licensee or assistant teacher plus specific instructor training hours and an examination. Ohio's requirement of either 1,800 hours of experience plus an examination or 800 hours of apprentice instructor training and an examination is less than the national average, which typically requires experience AND a training program in addition to an examination.

Manicurist instructor license

Survey responses (COS)

Description

An individual who teaches the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology.

Type *(See R.C. 4798.01 for relevant definitions.)*

License

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually

7

Number renewed annually

156

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Decreased by 29% since 2014. In July 2018 the board, per ORC, began to require passing an examination to receive the license. Much of the decrease came after that date.
Education or training requirements	300 hours of board-approved manicurist instructor training as an apprentice instructor or has been employed in the practice of cosmetology or manicuring for at least 1800 hours of work experience.
Experience requirements	May complete an instructor training program or have 1800 hours of work experience.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A national Theory (computer-based) examination administered by the board. \$40 exam fee
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. Eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	Two-year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>Yes, reciprocity is authorized under R.C. 4713.34.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>No</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>Must hold a current, active Advanced manicuring license.</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board’s laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$450. Amount is for FY20 which is a non-renewal year. Revenue collected is lower in non-renewal years. Due to COVID-19, examinations for new licenses was on hold for approximately 3-months due to the restrictions. Revenues from fees is used for the operations of the Board.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers.

Like with the Board’s practicing licenses, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures.

Manicurists, under their scope of practice, can use potentially dangerous implements such as nail drills and skin graters. In addition, due to the nature of manicuring and pedicures services, there is a high likelihood of spreading infectious and contagious skin diseases such as MRSA and fungal infections if proper safety and infection control protocols are not followed. This regulation ensures that manicuring students receive their instruction from qualified, knowledgeable instructors.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that manicuring instructors have to ability to educate manicuring students to develop the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that manicuring instructors are continuing to provide effective instruction on the appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

44 other states and the District of Columbia require individual who teach or instruct manicuring to be licensed. Requirements vary, but typically consist of a period of experience as a licensee or assistant teacher plus specific instructor training hours and an examination. Ohio's requirement of either 1,800 hours of experience plus an examination or 300 hours of apprentice instructor training and an examination is less than the national average, which typically requires experience AND a training program in addition to an examination.

Surrounding state comparison (LSC)

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4713.14(E)</i>)	Yes (<i>Ind. Code Ann. 25-8-6-1</i>)	Yes (<i>Ky. Rev. Stat. Ann. 317A.020 (3)(a)</i>)	Yes (<i>Mich. Comp. Laws 339.1206</i>)	Yes (<i>63 Pa. Cons. Stat. 508</i>)	Yes – instructor certificate (<i>W. Va. Code Ann. 30-27-16</i>)
Education or training	<p>Holds an advanced cosmetologist license, or one of the advanced limited licenses, and has either engaged in the practice for 1,800 hours</p> <p>Has completed the following instructor training applicable to the licensee:</p> <ol style="list-style-type: none"> 1. Cosmetologist 1,000 hours; 2. Esthetician 500 hours; 3. Hair design 800 hours; 	<p>Holds a cosmetologist license or one of the limited licenses, and 1,000 school hours of instructor training (<i>Ind. Code Ann. 25-8-6-3; 820 Ind. Admin. Code 4-4-7.2</i>)</p>	<p>Must have been licensed as a practitioner for one year and have completed a 750-hour instructor course of study</p> <p>Esthetics or nail technology instructors must also have 50 hours of specialized training in the past two years</p> <p>(<i>Ky. Rev. Stat. Ann. 317A.050(7), (8), (9), and (10)</i>)</p>	<p>Licensed cosmetologist who has completed 500 hours of instructor training (<i>Mich. Comp. Laws 339.1206</i>)</p>	<p>12th grade or equivalent and 500 hours of instruction in a cosmetology teacher curriculum (<i>49 Pa. Code 7.32b</i>)</p>	<p>High school diploma or equivalent, post-secondary level teaching techniques course, and graduated from a recognized school of barbering, hair styling, aesthetics, nail technology, or cosmetology (<i>W. Va. Code R. 3-2-2</i>)</p>

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	4. Manicurist 300 hours; 5. Natural hair stylist 400 hours <i>(R.C. 4713.31)</i>					
Experience	No	Six months practice as a cosmetologist or under the limited license practice being taught <i>(820 Ind. Admin. Code 4-3-1)</i>	Four and one-half month apprenticeship <i>(Ky. Rev. Stat. Ann. 317A.050(8))</i>	Three years of practical experience in natural hair cultivation, hair care services, skin care services, and manicuring services, at least one year must be in a cosmetology establishment <i>(Mich. Comp. Laws 339.1206)</i>	Possess current license <i>(49 Pa. Code 7.32b)</i>	No
Exam	Yes <i>(R.C. 4713.31(J))</i>	Yes <i>(Ind. Code Ann. 25-8-6-3)</i>	Yes <i>(Ky. Rev. Stat. Ann. 317A.050(8), (9), and (10))</i>	Yes <i>(Mich. Comp. Laws 339.1206)</i>	Yes <i>(63 Pa. Cons. Stat. 509)</i>	Yes <i>(W. Va. Code Ann. 30-27-16)</i>
Continuing education	Eight hours every two years <i>(O.A.C. 4713-21-03)</i>	No	No	No	No	Four hours annually <i>(W. Va. Code R. 3-11-3)</i>

Instructor of Cosmetology, Esthetics, or Manicuring						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	\$40 application fee and \$75 license fee (<i>R.C. 4713.10</i>)	\$40 application/issuance fee plus the examination fee assessed by the professional examination service (<i>820 Ind. Admin. Code 7-1-1 and 7-1-2</i>)	\$75 application fee and \$50 license fee (<i>201 Ky. Admin. Regs. 12:260</i>)	\$15 application fee, \$25 examination fee, \$24 annual license fee (<i>Mich. Comp. Laws 338.2225</i>)	\$10 (<i>49 Pa. Code 7.2</i>)	\$50 license fee; examination fee paid directly to third party examiner (<i>W. Va. Code R. 3-6-2(2.1 and 2.7)</i>)
License duration	Two years (<i>R.C. 4713.57</i>)	Four years (<i>Ind. Code Ann. 25-1-2-2.1; 820 Ind. Admin. Code 7-1-3</i>)	One year (<i>201 Ky. Admin. Regs. 12:030, Section 11</i>)	Two years (<i>Mich. Admin. Code R. 339.1003</i>)	Two years (<i>63 Pa. Cons. Stat. 525</i>)	One year (<i>W. Va. Code R. 3-6-2(2.8)</i>)
Renewal fee	\$70 (<i>R.C. 4713.10</i>)	\$40 (<i>820 Ind. Admin. Code 7-1-3</i>)	\$50 (<i>201 Ky. Admin. Regs. 12:260</i>)	\$48 (<i>Mich. Comp. Laws 338.2225; Mich. Admin. Code R. 339.1003</i>)	\$105 (<i>49 Pa. Code 7.2</i>)	\$55 (<i>W. Va. Code R. 3-6-2(2.8)</i>)

Natural hair style instructor license

Survey responses (COS)

Description	
An individual who teaches the theory and practice of natural hair styling, but no other branch of cosmetology, at a school of cosmetology.	
Type <i>(See R.C. 4798.01 for relevant definitions.)</i>	
License	
If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	0
Number renewed annually	2

If the regulation is a registration, certification, or license requirement, please complete the following:

Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	No charge
Education or training requirements	400 hours of board-approved natural hair styling instructor training as an apprentice instructor or has been employed in the practice of cosmetology or natural hair styling for at least 1800 hours of work experience.
Experience requirements	May complete an instructor training program or have 1800 hours of work experience.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	A national Theory (computer-based) examination administered by the board. \$40 exam fee
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Yes. Eight hours of CE is required to be completed per license renewal period. One-hour board laws and rules, two-hours Safety and sanitation, five-hours scope specific.
Initial fee	\$45
Duration	Two-year
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$55. The renewal fee for the license is higher than the initial license fee due to the costs associated with the eLicense Ohio system. These fees cover costs associated with using and maintaining the license(s) and accounts in the eLicense system and the storage of information relating to the license(s) and account(s).

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>Yes, reciprocity is authorized under R.C. 4713.34.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>No</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>Must hold a current, active Advanced natural hair styling license.</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has testing authority to ensure minimum competence prior to licensure, and oversight over compliance with the Board’s laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a license, suspend, or revoke a license, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?
How is that revenue used?**

\$0

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (*See, R.C. 4798.02(B).*)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers. Like with the Board’s practicing licenses, the regulation seeks to protect consumers from potential serious physical harm through traumatic injury or the spread of contagious or infectious diseases by ensuring minimal competency in proper techniques and safety and infection control procedures. Natural Hair Stylists, if they do not follow proper techniques, can cause permanent damage to the hair and scalp of consumers. This regulation ensures that natural hairstyling students receive their instruction from qualified, knowledgeable instructors.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that natural hairstyle instructors have to ability to educate natural hairstyling students to develop the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that natural hair style instructors are continuing to provide effective instruction on the appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character requirement. See attached document for this and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

44 other states and the District of Columbia require individual who teach or instruct natural hair styling to be licensed (only 7 have a specific natural hair style instructor license, while the rest require a full cosmetology or hair design/hairstyling instructor license). Requirements vary, but typically consist of a period of experience as a licensee or assistant teacher plus specific instructor training hours and an examination. Ohio's requirement of either 1,800 hours of experience plus an examination or 400 hours of apprentice instructor training and an examination is less than the national average, which typically requires experience AND a training program in addition to an examination.

Temporary special occasion work permit

Survey responses (COS)

Description

A temporary special occasion work permit allows persons licensed or registered in another state or country to practice or teach cosmetology or a branch of cosmetology that the person is licensed or registered in their state or country of origin in Ohio for a special occasion. A special occasion must be sponsored by a licensed salon or school. Persons intending to work beyond the scope of the occasion listed on the temporary special occasion permit application shall obtain a license from the board.

Type *(See R.C. 4798.01 for relevant definitions.)*

License (temporary permit)

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually

1

Number renewed annually

Non-Renewable

If the regulation is a registration, certification, or license requirement, please complete the following:	
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	No
Education or training requirements	Must have been licensed or registered in another state or country to practice or teach cosmetology or a branch of cosmetology.
Experience requirements	Must have been licensed or registered for at least 5 year.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	N/A
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	N/A
Initial fee	\$50
Duration	Valid up to a maximum of thirty days.
Renewal fee (<i>If different from initial fee, please explain why.</i>)	N/A

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Board recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. It is a temporary permit to allow an individual from another jurisdiction to practice the occupation in Ohio.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>Yes, but only if they are exempted under R.C. 4713.17.</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>None.</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has application oversight to ensure an applicant meets the minimum qualifications prior to issuing a permit, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance of the permit, suspend, or revoke the permit, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

**How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)?
How is that revenue used?**

\$50

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulation seeks to prevent the same harms as listed in the practicing and instructor licenses discussed above. The permit also seeks to ensure that individuals from another jurisdiction who wish to practice temporarily in the state are knowledgeable of and compliant with Ohio’s safety and infection control protocols and requirements.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. The permit process allows the Board to ensure that providers from other jurisdictions have the competency and knowledge to practice in a safe and sanitary manner in accordance with Ohio standards. It also allows the Board to monitor these practitioners through periodic inspection to ensure they comply with the appropriate safety and sanitation techniques and procedures while practicing in Ohio. There are no other, less restrictive ways to prevent the harm.

Are there any changes the Board would like to see implemented?

Not specifically for this permit. See attached document for related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Ohio's temporary special event permit is unique. However, most states offer some form of provisional license or permit for license individuals from another jurisdiction who wish to temporarily practice in the state. Ohio's regulation is in line with these other types of temporary authorization.

Surrounding state comparison (LSC)

Ohio Cosmetology Law provides for a temporary special occasion work permit that allows persons licensed or registered in another state or country to practice or teach cosmetology or a branch of cosmetology, for which the person holds a license, for a

special occasion. The person applying for the work permit must specify dates requested for the work permit, which cannot exceed one month. A special occasion must be sponsored by a licensed salon or school.²⁰

In West Virginia, an out-of-state licensee may work in a temporary capacity, less than five days, in connection with an event or temporary commercial enterprise, and may be granted a temporary permit to work after submitting a current license certification in this state and paying a fee.²¹

It appears that the laws regulating such practice in Kentucky, Michigan, and Pennsylvania do not provide a special occasion temporary work permit for out of state licensees.

Boutique services registration

Survey responses (COS)

Description
A registration that allows a person to do braiding, threading, shampooing, and makeup artistry in an appropriately licensed salon or boutique salon.

²⁰ R.C. 4713.37; O.A.C. 4713-11-13.

²¹ W. Va. Code Ann. 30-27-5.

Type (See R.C. 4798.01 for relevant definitions.)

License. While the registration does require a registrant to meet certain personal qualifications, the registration is free and training requirements are minimal.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	1,020
Number renewed annually	634
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Yes. The registration was first created by SB213 in 2016.
Education or training requirements	10th grade education, at least 16 years of age, proof of formal training or apprenticeship.
Experience requirements	Verified formal training or apprenticeship in the specific boutique service. There is no time or hours requirement.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	N/A

If the regulation is a registration, certification, or license requirement, please complete the following:	
Continuing education requirements <i>(Including a description of the curriculum and the process of setting it.)</i>	1-Hour Board Laws & Rules 4-Hours Safety and Infection Control
Initial fee	\$0
Duration	2-Year
Renewal fee <i>(If different from initial fee, please explain why.)</i>	\$0
Does the Board recognize uniform licensure requirements or allow for reciprocity?	Not specifically. However, the registration is free and only requires an applicant to submit proof of formal training or apprenticeship in the specific boutique service. There is no time or hours requirement.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Yes, but only if they are exempted under R.C. 4713.17.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, but if the individual meets the minimum criteria, the discretion is limited to the disciplinary criteria set forth in R.C. 4713.64.

If the regulation is a registration, certification, or license requirement, please complete the following:

Other information (*Significant attributes or prerequisites to licensure not addressed in this chart.*)

None

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

The Board has application oversight to ensure an applicant meets the minimum qualifications prior to issuing a registration, and oversight over compliance with the Board's laws and rules through periodic inspection and complaint investigations. The Board may deny issuance or renewal of a registration, suspend, or revoke a registration, require corrective action courses, and/or impose a fine under R.C. 4713.64. The Board may also seek injunctive relief under R.C. 4713.13.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

\$0

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Not applicable

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Under the categories listed in R.C. 4798.02(B), the regulation seeks to protect general health, safety, and welfare concerns, and to protect consumers against potential damages by transient providers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes, the regulation is effective at preventing the harm described above. Licensure testing ensures that boutique service providers have the competency and knowledge to practice in a safe and sanitary manner. Continued licensure ensures that consumers are protected from potentially transient providers, and periodic inspection ensures that boutique service providers are continuing to comply with appropriate safety and sanitation techniques and procedures after initial licensure. There are no other, less restrictive ways to adequately prevent the harm.

Are there any changes the Board would like to see implemented?

Remove good moral character and 10th-grade education requirements. See attached document for these and related statutory language suggestions.

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Ohio's boutique services registration is unique. 28 states, however, exempt braiding from regulation, and certain other states provide exemptions for threading, shampooing, and makeup artistry. Ohio's regulation is in the middle of these options, as it is more restrictive than a full exemption, but far less restrictive than licensing these boutique services.

Statutory changes proposed by COS

4709.01 Barber definitions.

As used in this chapter:

(A)

(1) Except as provided in division (A)(2) of this section, "the practice of barbering" means any one or more of the following when performed upon the head, neck, or face for cosmetic purposes and when performed upon the public for pay, free, or otherwise:

- (a) Shaving the face, shaving around the vicinity of the ears and neckline, or trimming facial hair;
- (b) Cutting or styling hair;
- (c) Facials, skin care, or scalp massages;
- (d) Shampooing, bleaching, coloring, straightening, or permanent waving hair;
- (e) Cutting, fitting, or forming head caps for wigs or hair pieces.

(2) "The practice of barbering" does not include the practice of natural hair styling.

~~(B)~~ "Sanitary" means free of infectious agents, disease, or infestation by insects or vermin and free of soil, dust, or foreign material.

~~(C)~~~~(B)~~ "Barber" means any person who engages in or attempts to engage in the practice of barbering.

~~(D)~~~~(C)~~ "Barber school" means any establishment premises, building, or part of a building that engages in which students are instructed or attempts to engage in the teaching theories of the and practice practices of barbering.

~~(E)~~~~(D)~~ "Barber teacher instructor" means any person who engages in or attempts authorized to engage in the teaching teach of the theory and practice of barbering.

~~(F)~~~~(E)~~ "Assistant barber teacher instructor" means any person who authorized to assist assist a barber teacher instructor in the teaching of the theory and practice of barbering.

~~(G)~~~~(F)~~ "Barber pole" means a cylinder or pole with alternating stripes of any combination including red and white, and red, white, and blue, which run diagonally along the length of the cylinder or pole.

~~(H)~~~~(G)~~ "The practice Practice of natural hair styling" means work done for a fee or other form of compensation, by any person, utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weaving, extending, locking, or braiding of the hair, and which work does not include the application of dyes, reactive chemicals, or other preparations to alter the color or to straighten, curl, or alter the structure of the hair has the same meaning as found in section 4713.01 of the Revised Code.

~~(I)~~~~(H)~~ "Braiding" means intertwining the hair in a systematic motion to create patterns in a three-dimensional form, inverting the hair against the scalp along part of a straight or curved row of

~~intertwined hair, or twisting the hair in a systematic motion, and includes extending the hair with natural or synthetic hair fibers~~ has the same meaning as found in section 4713.01 of the Revised Code.

~~(I) "Biennial licensing period" means the two-year period beginning on the first day of September of an even-numbered year and ending on the last day of August of the next even-numbered year.~~

4709.02 Prohibited practices.

Except as provided in this chapter, no person shall do any of the following:

~~(A) Engage in or attempt to engage in the practice of barbering, hold themselves out as a practicing barber, or advertise in a manner that indicates they are a barber, without a barber license issued pursuant to this chapter~~
Practice barbering without a current, valid license under section 4709.07 of the Revised Code or a current, valid temporary pre-examination work permit under section 4709.071 of the Revised Code;

~~(B) Operate or attempt to operate a barber shop without a current, valid barber shop license issued pursuant to this chapter~~
under section 4709.09 of the Revised Code;

~~(C) Engage in or attempt to engage in the teaching of~~Teach ~~or assist in the teaching of the theory or practice of barbering without a current, valid barber teacher~~instructor ~~or assistant barber teacher~~instructor ~~license issued pursuant to this chapter~~
under section 4709.10 of the Revised Code;

~~(D) Advertise barbering services unless the establishment and personnel employed therein are licensed pursuant to this chapter;~~

~~(E)~~(D) ~~Use or display a barber pole for the purpose of advertising or offering barber services to the consuming public without a current, valid barber shop license issued pursuant to this chapter~~
under section 4709.09 of the Revised Code;

~~(F)~~(E) ~~Operate or attempt to operate a barber school without a current, valid barber school license issued pursuant to this chapter~~
under section 4709.10 of the Revised Code;

~~(G) Teach or attempt to teach any phase of barbering for pay, free, or otherwise without approval from the state cosmetology and barber board;~~

~~(H) Being a barber, knowingly continue the practice of barbering, or being a student, knowingly continue as a student in any barber school, while such person has an infectious, contagious, or communicable disease;~~

~~(I)~~(E) ~~Obtain or attempt to obtain a license by fraudulent misrepresentation for money, other than the required fee, or any other thing of value~~
Use fraud or deceit in obtaining or making application for a license or permit issued pursuant to this chapter;

~~(J) Practice or attempt to practice barbering by fraudulent misrepresentation;~~

~~(K)~~(G) ~~Employ another person to perform or himself perform the practice of barbering in a licensed barber shop unless that person is licensed as a barber under this chapter~~
without a current, valid license under section 4709.07 of the Revised Code or a current, valid temporary pre-examination work permit under section 4709.071 of the Revised Code;

~~(L)~~(H) Use any room or place for barbering which is also used for sleeping or residential purposes or other business purposes, unless it is separated by a substantial ceiling-high partition. This does not exclude hair-care products used and sold in barber shops or the sale of clothing and related accessories as authorized by division (F) of section 4709.09 of the Revised Code.

(M) Violate any rule adopted by the board or department of health for barber shops or barber schools.

4709.03 Exemptions.

The following persons are exempt from this chapter while in the proper discharge of their professional duties:

(A) ~~Persons licensed by this state~~All persons licensed to practice medicine, and surgery, dentistry, and nursing, or any of its branches, in this state, while acting within the scope of practice for the license, permit, or certificate held;

(B) ~~Commissioned medical or surgical officers of the United States army, navy, or marine hospital service, military, and attendants attached to the same, while acting within the scope of practice for the license, permit, or certificate held;~~

~~(C) Nurses registered under Chapter 4723, of the Revised Code;~~

~~(D)~~(C) Cosmetologists and hair designers licensed under Chapter 4713, of the Revised Code, insofar as their usual and ordinary vocation and profession is concerned as described in section 4713.01 of the Revised Code while acting within the scope of practice for the license, permit, or certificate held;

~~(E)~~(D) Funeral directors, embalmers, and apprentices licensed or registered under Chapter 4717, of the Revised Code, while acting within the scope of practice for the license, permit, or certificate held;

(E) Volunteers of hospitals, and homes as defined in section 3721.01 of the Revised Code, who render service to registered patients and inpatients who reside in such hospitals or homes. Such volunteers shall not use or work with any chemical products such as permanent wave, hair dye, or chemical hair relaxer, which without proper training would pose a health or safety problem to the patient;

(F) Nurse aides and other employees of hospitals and homes as defined in section 3721.01 of the Revised Code, who practice barbering on registered patients only as part of general patient care services and who do not charge patients directly on a fee for service basis;

(G) Cosmetic therapists and massage therapists who hold current, valid certificates to practice cosmetic or massage therapy issued by the state medical board under section 4731.15 of the Revised Code, while acting within the scope of practice for the license, permit, or certificate held;

(H) Inmates who provide services related to barbering to other inmates, except when those services are provided in a licensed barber school or barber shop within a state correctional institution. The director of rehabilitation and correction shall oversee the services described in division (H) of this section with respect to sanitation and adopt rules governing those types of services provided by inmates.

4709.05 Organization of board.

In addition to any other duty imposed on the state cosmetology and barber board under this chapter or Chapter 4713. of the Revised Code, the board shall do all of the following:

~~(A) Hold regular meetings, at the times and places as it determines for the purpose of conducting the examinations required under this chapter, and hold additional meetings for the transaction of necessary business.~~Regulate the practice of barbering in this state;

~~(B) Maintain a record of its proceedings and a register of persons licensed as barbers. The register shall include each licensee's name, place of business, residence, and licensure date and number, and a record of all licenses issued, refused, renewed, suspended, or revoked. The records are open to public inspection at all reasonable times.~~

~~(C) Ensure that the practice of barbering is conducted only in a licensed barber shop, except when the practice of barbering is performed on a person whose physical or mental disability prevents that person from going to a licensed barber shop;~~

~~(D)~~(B) Conduct or have conducted the examination for applicants to practice as licensed barbers at least four times per year at the times and places the board determines;

~~(E)~~(C) Adopt rules, in accordance with Chapter 119. of the Revised Code, to administer and enforce this chapter and which cover all of the following:

(1) Sanitary~~Infection control~~ standards for the operation of barber shops and barber schools that conform to guidelines established by the department of health;

(2) The content of the examination required of an applicant for a barber license and the required passing scores. The examination shall include a practical demonstration and a written test, shall relate only to the practice of barbering, and shall require the applicant to demonstrate that the applicant has a thorough knowledge of and competence in the proper techniques in the safe use of chemicals used in the practice of barbering.

(3) Continuing education requirements for persons licensed pursuant to this chapter.~~The board may impose continuing education requirements upon a licensee for a violation of this chapter or the rules adopted pursuant thereto or if the board determines that the requirements are necessary to preserve the health, safety, or welfare of the public, and the criteria for approving continuing education courses and providers;~~

(4) Requirements for the licensure of barber schools, barber teachers~~instructors~~, and assistant barber teachers~~instructors~~;

(5) Requirements for students of barber schools;

(6) Any other area the board determines appropriate to administer or enforce this chapter.

(7) Conditions an individual must satisfy to qualify for a temporary pre-examination work permit under section 4709.071 of the Revised Code and the conditions and method of renewing a temporary pre-examination work permit under that section. The board may establish additional conditions for a temporary preexamination work permit under section 4709.071 of the Revised Code that is applicable to individuals who are licensed to practice barbering in another state or

country.

~~(F) Prior to adopting any rule under this chapter, indicate at a formal hearing the reasons why the rule is necessary as a protection of the persons who use barber services or as an improvement of the professional standing of barbers in this state;~~

~~(G)(D) FurnishMake available a copy of all infection control rules adopted pursuant to division (C)(1) of this section to each owner or manager of a barber shop and barber school with a copy of all sanitary rules adopted pursuant to division (E) of this section;~~

~~(H) Conduct such investigations and inspections of persons and establishments licensed or unlicensed pursuant to this chapter and for that purpose, any member of the board or any of its authorized agents may enter and inspect any place of business of a licensee or a person suspected of violating this chapter or the rules adopted pursuant thereto, during normal business hours;~~

~~(I) Upon the written request of an applicant and the payment of the appropriate fee, provide to the applicant licensure information concerning the applicant;~~

~~(J)(E) Do all things necessary for the proper administration and enforcement of this chapter.~~

4709.07 License application and examination.

~~(A) Each person who desires to obtain an initial license to practice barbering shall apply to the state cosmetology and barber board, on forms provided by the board. The application form shall include the name of the person applying for the license and evidence that the applicant meets all of the requirements of division (B) of this section. The application shall be accompanied by two signed current photographs of the applicant, in the size determined by that meets the specifications established by the board, that show only the head and shoulders of the applicant, and the examination application fee. The state cosmetology and barber board shall issue a barber license to an applicant who satisfies all of the following conditions:~~

~~(B) In order to take the required barber examination and to qualify for licensure as a barber, an applicant must demonstrate that the applicant meets all of the following:~~

~~(1) Is of good moral character;~~

~~(2)(1) Is at least eighteensixteen years of age;~~

~~(3)(2) Has an eighth grade education or an equivalent education as determined by the state board of education in the state where the applicant resides;~~

~~(3) Has submitted a written application on a form furnished by the board that contains all of the following:~~

~~(a) The name of the person and any other identifying information required by the board;~~

~~(b) A photocopy of the person's current driver's license or other proof of legal residence;~~

~~(c) Proof that the person is qualified to take the examination;~~

~~(d) An oath verifying that the information in the application is true;~~

(e) The application fee under section 4709.12 of the Revised Code.

~~(4) Has graduated with at least one thousand eight hundred hours of board-approved training from a board-approved barber school or has graduated with at least one thousand hours of training from a board-approved barber school in this state and has a current cosmetology or hair designer license issued pursuant to Chapter 4713. of the Revised Code.; No hours of instruction earned by an applicant five or more years prior to the examination apply to the hours of study required by this division.~~

~~(5) Submits to having a photograph and biometric fingerprint scans taken by the board;~~

~~(6) Passes the required examination;~~

~~(7) Pays to the board the license fee under section 4709.12 of the Revised Code.~~

~~(C)(B) Any applicant who meets all of the requirements of divisions (A) and (B) of this section may take the barber examination at the time and place specified by the board. If the applicant fails to attain at least a seventy-five per cent pass rate on each part of the examination, the applicant is ineligible for licensure; however, the applicant may reapply for examination within ninety days after the date of the release of the examination scores by paying and pay the required reexamination fee. An applicant is only required to take that part or parts of the examination on which the applicant did not receive a score of seventy-five per cent or higher pass. If the applicant fails to reapply for examination within ninety days or fails the second examination, in order to reapply for examination for licensure the applicant shall complete an additional course of study of not less than two hundred hours, in a board-approved barber school. The board shall provide to an applicant, upon request, a report which explains the reasons for the applicant's failure to pass the examination.~~

~~(D) The board shall issue a license to practice barbering to any applicant who, to the satisfaction of the board, meets the requirements of divisions (A) and (B) of this section, who passes the required examination, and pays the initial licensure fee. Every licensed barber shall display the certificate of licensure in a conspicuous place adjacent to or near the licensed barber's work chair, along with a signed current photograph, in the size determined by the board, showing head and shoulders only.~~

4709.071 Temporary pre-examination work permit.

~~(A) The state cosmetology and barber board shall issue a temporary pre-examination work permit to practice barbering to an individual who applies for and is eligible to take an examination conducted under section 4709.07 of the Revised Code, if the individual satisfies all of the following conditions:~~

~~(1) The individual has not previously failed an examination conducted under section 4709.07 of the Revised Code.~~

~~(2) The individual pays to the board the applicable fee.~~

~~(3) The individual satisfies all other conditions established by rules adopted under section 4709.05 of the Revised Code.~~

~~(B) An individual issued a temporary pre-examination work permit under this section may practice until the date the individual is scheduled to take an examination under section 4709.07 of the~~

Revised Code. The individual shall practice under the supervision of an individual holding a current, valid barber license.

(C) A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4709.05 of the Revised Code.

4709.08 Reciprocity.

Any person who holds a current license or registration to practice as a barber in any other state, territory, or district of the United States or country whose requirements for licensure or registration of barbers are substantially equivalent to the requirements of this chapter and rules adopted under it ~~and that extends similar reciprocity to persons licensed as barbers in this state may apply to the state cosmetology and barber board for a barber license. The board shall, without examination, unless the board determines to require an examination, issue a license to practice as a licensed barber barbering in this state if the person meets the requirements of this section, is at least eighteen years of age and of good moral character, and pays the required fees. The board may waive any of the requirements of this section.~~

4709.09 Application for barber shop license - related businesses.

(A) Each person who desires to obtain a barber shop license shall apply to the state cosmetology and barber board, on forms provided by the board. The board shall issue a barber shop license to a person if the board determines that the person meets all of the requirements of division (B) of this section, ~~and pays the required license and inspection fees fee under section 4709.12 of the Revised Code, and passes an initial inspection.~~

(B) In order for a person to qualify for a license to operate a barber shop, the barber shop shall meet all of the following requirements:

- (1) Be in the charge and under the immediate supervision of a licensed barber;
- (2) Be equipped to provide running hot and cold water and proper drainage;
- (3) ~~Sanitize and maintain in a sanitary condition, all instruments and supplies~~ Be in compliance with all infection control rules adopted by the board;
- (4) ~~Keep towels and linens clean and sanitary and in a dry, dust-proof container;~~
- (5)(4) Display the shop license and a copy of the board's sanitary rules in a conspicuous place in the working area.

(C) Any licensed barber who leases space in a licensed barber shop and engages in the practice of barbering independent and free from supervision of the owner or manager of the barber shop ~~is considered to be engaged in the operation of a separate and distinct barber shop and shall obtain an independent contractor license to operate a barber shop pursuant to this section by submitting the form provided by the board and paying the fee established by the board in rule.~~

(D) A shop license is not transferable from one owner to another ~~and if an owner or operator of a barber shop permanently ceases offering barber services at the shop, the owner or operator shall~~

~~return the barber shop license to the board within ten days of the cessation of services or from one location to another.~~

~~(E)~~

~~(1) Manicurists licensed under Chapter 4713. of the Revised Code may practice manicuring in a barber shop.~~

~~(2) Tanning facilities issued a permit under section 4713.48 of the Revised Code may be operated in a barber shop.~~

~~(F) Clothing and related accessories may be sold at retail in a barber shop so long as these sales maintain the integrity of the facility as a barber shop.~~

4709.10 Barber schools.

~~(A) Each person who desires to obtain a license to operate a barber school shall apply to the state cosmetology and barber board, on forms provided by the board. The board shall issue a barber school license to a person if the board determines that the person meets and will comply with all of the requirements of division (B) of this section, and pays the required license and inspection fees under section 4709.12 of the Revised Code, and passes an initial inspection.~~

~~(B) In order for a person to qualify for a license to operate a barber school, the barber school to be operated by the person must meet all of the following requirements:~~

~~(1) Have a training facility sufficient to meet the required educational curriculum established by the board, including enough space to accommodate all the facilities and equipment required by rule by the board;~~

~~(2) Provide sufficient licensed teaching personnel to meet the minimum pupil-teacher/student-instructor ratio established by rule of the board;~~

~~(3) Have established and provide to the board proof that it has met all of the board requirements to operate a barber school, as adopted by rule of the board;~~

~~(4) File with the board a program of its curriculum, accounting for not less than one thousand eight hundred hours of instruction, in the courses of theory and practical demonstration required by rule of the in accordance with board rule;~~

~~(5) File with the board a surety bond in the amount of ten thousand dollars issued by a bonding company licensed to do business in this state. The bond shall be in the form prescribed by the board and conditioned upon the barber school's continued instruction in the theory and practice of barbering. The bond shall continue in effect until notice of its termination is provided to the board. In no event, however, shall the bond be terminated while the barber school is in operation. Any student who is injured or damaged by reason of a barber school's failure to continue instruction in the theory and practice of barbering may maintain an action on the bond against the barber school or the surety, or both, for the recovery of any money or tuition paid in advance for instruction in the theory and practice of barbering which was not received. The aggregate liability of the surety to all students shall not exceed the sum of the bond.~~

~~(6) Maintain adequate record keeping to ensure that it has met the requirements for records of student progress as required by in accordance with board rule;~~

(7) Establish minimum standards for acceptance of student applicants for admission to the barber school. The barber school may establish entrance requirements which are more stringent than those prescribed by the board, but the requirements must at a minimum require the applicant to meet all of the following:

(a) Be at least ~~seventeen~~sixteen years of age;

(b) Be of good moral character;

(c) Have an eighth grade education, or an equivalent education as determined by the state board of education;

~~(d) Submit two signed current photographs of the applicant, in the size determined by the board.~~

~~(8) Have a procedure to submit every student applicant's admission application to the board for the board's review and approval prior to the applicant's admission to the barber school;~~

~~(9) Operate in a manner which reflects credit upon the barbering profession;~~

~~(10) Offer a curriculum of study which covers all aspects of the scientific fundamentals of barbering as specified by rule of the board;~~

~~(11)~~(8) Employ no more than two licensed assistant barber teachers~~instructors~~ for each licensed barber teacher~~instructor~~ employed or fewer than two licensed teachers~~instructors~~ or one licensed teacher~~instructor~~ and one licensed assistant teacher~~instructor~~ at each facility.

~~(C) A school license is not transferable from one owner to another or from one location to another.~~

~~(C) Each person who desires to obtain a barber teacher or assistant barber teacher license shall apply to the board, on forms provided by the board. The board shall only issue a barber teacher license to a person who meets all of the following requirements:~~

~~(1) Holds a current barber license issued pursuant to this chapter and has at least eighteen months of work experience in a licensed barber shop or has been employed as an assistant barber teacher under the supervision of a licensed barber teacher for at least one year, unless, for good cause, the board waives this requirement;~~

~~(2) Meets such other requirements as adopted by rule by the board;~~

~~(3) Passes the required examination; and~~

~~(4) Pays the required fees. If an applicant fails to pass the examination, the applicant may reapply for the examination and licensure no earlier than one year after the failure to pass and provided that during that period, the applicant remains employed as an assistant barber teacher.~~

~~The board shall only issue an assistant barber teacher license to a person who holds a current barber license issued pursuant to this chapter and pays the required fees.~~

~~(D) Any person who meets the qualifications of an assistant teacher pursuant to division (C) of this section, may be employed as an assistant teacher, provided that within five days after the commencement of the employment the barber school submits to the board, on forms provided by the board, the applicant's qualifications.~~

4709.11 License renewal.

Every license issued pursuant to this chapter expires on the thirty-first day of August of each even-numbered year. Each licensee desiring to do so shall, on or before the first day of September of each even-numbered year, renew the licensee's license pursuant to the standard renewal procedure of Chapter 4745. of the Revised Code. ~~Any holder of an expired license shall restore the holder's license before continuing the practice of barbering or the activity for which the holder is licensed under this chapter and pay the appropriate restoration fee. If the person fails to restore the person's license within six years, the person shall pay any required restoration fee and take any examination required for the license under this chapter. If the board adopts rules under section 4709.05 of the Revised Code to establish a continuing education requirement as a condition of renewal for a barber or barber instructor license, the board shall inform each affected licensee of the continuing education requirement that applies to the next biennial licensing period by including that information in the renewal notification it sends the licensee. The notification shall state that the licensee must complete the continuing education requirement by the fifteenth day of August of the next even-numbered year.~~

~~The Board may waive or extend the period for completing any continuing education requirement in accordance with division of (B) of section 4713.60 of the Revised Code.~~

4709.12 Fees.

(A) The state cosmetology and barber board shall charge and collect the following nonrefundable fees:

- (1) For the application to take the barber examination, not more than ninety dollars;
- (2) For an application to retake any one part of the barber examination, not more than forty-five dollars;
- ~~(3)~~ For an application to take the barber examination by an applicant who has previously applied to take, but failed to appear for, the examination, not more than one hundred dollars;
- ~~(3)~~(4) For the initial issuance of a license to practice as a barber, not more than thirty dollars;
- ~~(4)~~(5) For the biennial renewal of the license to practice as a barber, not more than one hundred ten dollars;
- ~~(5)~~(6) For the restoration of an expired barber license, not more than one hundred fifty dollars, and not more than seventy-five dollars for each lapsed year, provided that the total fee shall not exceed six hundred ninety dollars;
- ~~(6)~~(7) For the issuance of a duplicate barber or shop license, not more than forty-five dollars;
- ~~(7)~~(8) For the inspection of a new barber shop, change of ownership, or reopening of premises or facilities formerly operated as a barber shop, and issuance of a shop license or a change of ownership, not more than one hundred ten dollars;
- ~~(8)~~(9) For the biennial renewal of a barber shop license, not more than seventy-five dollars;
- ~~(9)~~(10) For the restoration of a barber shop license, not more than one hundred ten dollars;

~~(10) For each inspection of premises for location of a new barber school, or each inspection of premises for relocation of a currently licensed barber school, not more than seven hundred fifty dollars;~~

(11) For the initial barber school license, not more than one thousand dollars, and not more than one thousand dollars for the renewal of the license;

(12) For the restoration of a barber school license, not more than one thousand dollars;

~~(13) For the issuance of a student registration, not more than forty dollars;~~

~~(14)~~(13) For the examination and issuance of a biennial teacher/instructor license, not more than one hundred eighty-five dollars;

(14) For the issuance of a biennial assistant instructor license, not more than one hundred fifty dollars;

(15) For the renewal of a biennial teacher/instructor or assistant instructor license, not more than one hundred fifty dollars;

(16) For the restoration of an expired teacher/instructor or assistant instructor license, not more than two hundred twenty-five dollars, and not more than sixty dollars for each lapsed year, provided that the total fee shall not exceed four hundred fifty dollars;

(17) For the issuance of a barber license by reciprocity pursuant to section 4709.08 of the Revised Code, not more than three hundred dollars;

~~(18) For providing licensure information concerning an applicant, upon written request of the applicant~~For the preparation and mailing of a licensee's records to another state for a reciprocity license, not more than forty dollars.

~~(19) For a temporary pre-examination work permit under section 4709.071 of the Revised Code, not more than fifteen dollars.~~

~~(B) The board shall adjust the fees biennially, by rule, within the limits established by division (A) of this section, to provide sufficient revenues to meet its expenses.~~

~~(B)~~(C) The board, subject to the approval of the controlling board, may establish fees in excess of the amounts provided in this section, provided that the fees do not exceed the amounts permitted by this section by more than fifty per cent.

~~(C) In addition to any other fee charged and collected under this section, the board shall ask each person renewing a license to practice as a barber whether the person wishes to make a two-dollar voluntary contribution to the Ed Jeffers barber museum. The board shall transmit any contributions to the treasurer of state for deposit into the occupational licensing fund.~~

4709.13 Disciplinary actions.

The state cosmetology and barber board may take disciplinary action for a violation of this chapter or the rules adopted under it in accordance with the provisions of section 4713.64 of the Revised Code.

(A) The state cosmetology and barber board may refuse to issue or renew or may suspend or revoke or impose conditions upon any license issued pursuant to this chapter for any one or more of the following causes:

- (1) Advertising by means of knowingly false or deceptive statements;
- (2) Habitual drunkenness or possession of or addiction to the use of any controlled drug prohibited by state or federal law;
- (3) Immoral or unprofessional conduct;
- (4) Continuing to be employed in a barber shop wherein rules of the board or department of health are violated;
- (5) Employing any person who does not have a current Ohio license to perform the practice of barbering;
- (6) Owning, managing, operating, or controlling any barber school or portion thereof, wherein the practice of barbering is carried on, whether in the same building or not, without displaying a sign at all entrances to the places where the barbering is carried on, indicating that the work therein is done by students exclusively;
- (7) Owning, managing, operating, or controlling any barber shop, unless it displays a recognizable sign or barber pole indicating that it is a barber shop, and the sign or pole is clearly visible at the main entrance to the shop;
- (8) Violating any sanitary rules approved by the department of health or the board;
- (9) Employing another person to perform or personally perform the practice of barbering in a licensed barber shop unless that person is licensed as a barber under this chapter;
- (10) Gross incompetence.

(B)

(1) The board may refuse to renew or may suspend or revoke or impose conditions upon any license issued pursuant to this chapter for conviction of or plea of guilty to a felony committed after the person has been issued a license under this chapter, shown by a certified copy of the record of the court in which the person was convicted or pleaded guilty.

(2) A conviction or plea of guilty to a felony committed prior to being issued a license under this chapter shall not disqualify a person from being issued an initial license under this chapter.

(C) Prior to taking any action under division (A) or (B) of this section, the board shall provide the person with a statement of the charges against the person and notice of the time and place of a hearing on the charges. The board shall conduct the hearing according to Chapter 119. of the Revised Code. Any person dissatisfied with a decision of the board may appeal the board's decision to the court of common pleas in Franklin county.

(D) The board may adopt rules in accordance with Chapter 119. of the Revised Code, specifying additional grounds upon which the board may take action under division (A) of this section.

4709.14 Injunctive relief.

The state cosmetology and barber board may seek injunctive relief for a violation of this chapter or the rules adopted under it in accordance with the provisions of section 4713.13 of the Revised Code.

~~(A) If the state cosmetology and barber board determines that any person is violating or threatening to violate any provision of this chapter or the rules adopted pursuant thereto and such violation or threatened violation is a threat to the health or safety of persons who use barber services, the board may apply to a court of competent jurisdiction in the county in which the violation or threatened violation occurred or will occur for injunctive relief and such other relief to prevent further violations. The attorney general shall, at the board's request, represent the board in any such action.~~

~~(B) If the board determines, after a hearing conducted in accordance with Chapter 119, of the Revised Code, that any person has violated any provision of this chapter or the rules adopted pursuant thereto, the board may, in addition to any other action it may take or any other penalty imposed pursuant to this chapter, impose one or more fines upon the person. In no event, however, shall the fines imposed under this division exceed five hundred dollars for a first offense or one thousand dollars for each subsequent offense.~~

~~(C) A person who allegedly has violated a provision of this chapter for which the board proposes to impose a fine may pay the board the amount of the fine and waive the right to an adjudicatory hearing conducted under Chapter 119, of the Revised Code and described in division (B) of this section.~~

4709.23 Approval from board for teaching.

No phase of barbering shall be taught for pay, free, or otherwise, without approval from the state cosmetology and barber board.

4709.99 Penalty.

Whoever violates this chapter or any rule adopted pursuant thereto shall be fined not less than one hundred nor more than five hundred dollars for a first offense; for each subsequent violation of the same provision, the person shall be fined not less than five hundred nor more than one thousand dollars.

4709.28 Qualifications for barber instructor license and assistant barber instructor license.

(A) The state cosmetology and barber board shall issue a barber instructor license to an applicant who satisfies all of the following applicable conditions:

(1) Is at least eighteen years of age;

(2) Holds a current, valid barber license issued pursuant to this chapter and either;

(a) Has at least eighteen months of work experience in a licensed barber shop; or

(b) Has been employed as an assistant barber instructor under the supervision of a licensed barber for at least one year.

(3) Pays the required fee under section 4709.12 of the Revised Code;

(4) Passes the required examination; and

(5) Meets such other requirements as adopted by the board in rule.

(B) The state cosmetology and barber board shall issue an assistant barber instructor license to an applicant who satisfies all of the following applicable conditions:

(1) Is at least eighteen years of age;

(2) Holds a current, valid barber license issued pursuant to this chapter;

(3) Pays the required fee under section 4709.12 of the Revised Code; and

(4) Meets such other requirements as adopted by the board in rule.

4709.29 Restoring expired license.

A barber license or barber instructor license that has not been renewed for any reason other than because it has been revoked, suspended, or classified inactive, is expired. An expired license may be restored if the person who held the license meets all of the following applicable conditions:

(A) Pays to the state cosmetology and barber board the restoration fee established under section 4709.12 of the Revised Code;

(B) In the case of a barber license that has been expired for more than two consecutive license renewal periods, completes any outstanding continuing education requirements for each license renewal period that has elapsed since the license was last issued or renewed, up to a maximum of twenty-four hours. At least four of those hours shall include a course pertaining to infection control and safety methods.

4709.30 License classified inactive.

(A) If the state cosmetology and barber board adopts a continuing education requirement under section 4709.05 of the Revised Code, it may develop a procedure by which a person who holds a license to practice barbering or a barber instructor license and who is not currently engaged in the practice of barbering or teaching the theory and practice of barbering, but who desires to be so engaged in the future, may apply to the board to have the person's license classified inactive. If the board develops such a procedure, a person seeking to have the person's license classified inactive shall apply to the board on a form provided by the board and pay the fee established by rule.

(B) The board shall not restore an inactive license until the person holding the license submits proof satisfactory to the board that the person has completed the continuing education that a rule adopted under section 4709.05 of the Revised Code requires.

4713.01 Cosmetologist definitions.

As used in this chapter:

"Apprentice instructor" means ~~an individual person~~ holding a practicing license issued by the state cosmetology and barber board who is engaged in learning or acquiring knowledge of the occupation of an instructor of a branch of cosmetology at a school of cosmetology.

~~"Barber" has the same meaning as found in division (B) of section 4709.01 of the Revised Code.~~

~~"Barber shop" means a business licensed under section 4709.09 of the Revised Code.~~

"Beauty salon" means a salon in which ~~an individual person~~ is authorized to engage in all branches of cosmetology.

"Biennial licensing period" means the two-year period beginning on the first day of February of an odd-numbered year and ending on the last day of January of the next odd-numbered year.

"Boutique salon" means a salon in which ~~an individual person~~ engages in boutique services and no other branch of cosmetology.

"Boutique services" means braiding, threading, shampooing, and makeup artistry.

~~"Braiding" means intertwining the hair in a systematic motion to create patterns in a three-dimensional form, inverting the hair including patterns that are inverted, upright, or singled against the scalp that follow along part of a straight or curved row of intertwined hair, or partings. It may include twisting, locking, beading, crocheting, wrapping, or similarly manipulating the hair in a systematic motion, and includes extending the hair with natural while adding bulk or length with human hair, synthetic hair fibers, or both, and using simple devices such as clips, combs, crochet hooks, blunt-tipped needles, and hairpins. "Braiding" does not include the use of chemical hair-joining agents such as synthetic tape, keratin bonds, or fusion bonds to weave or fuse individual strands or wefts; application of dyes, reactive chemicals, or other preparations to alter the color or straighten, curl, or alter the structure of hair; or embellishing or beautifying hair by cutting or singeing, except as needed to finish the end of synthetic fibers used to add bulk to or lengthen hair.~~

~~"Branch of cosmetology" means the practice of cosmetology, practice of esthetics, practice of hair design, practice of manicuring, practice of natural hair styling, or practice of boutique services.~~

~~"Cosmetic therapy" has the same meaning as in section 4731.15 of the Revised Code.~~

"Cosmetologist" means ~~an individual person~~ authorized to engage in all branches of cosmetology in a licensed facility.

~~"Cosmetology" means the art or practice of embellishment, cleansing, beautification, and styling of hair, wigs, postiches, face, body, or nails providing services described under the branches of cosmetology.~~

"Cosmetology instructor" means ~~an individual person~~ authorized to teach the theory and practice of all branches of cosmetology at a school of cosmetology.

"Esthetician" means ~~an individual person~~ who engages in the practice of esthetics but no other branch of cosmetology in a licensed facility.

"Esthetics instructor" means ~~an individual~~ person who teaches the theory and practice of esthetics, but no other branch of cosmetology, at a school of cosmetology.

"Esthetics salon" means a salon in which ~~an individual~~ person engages in the practice of esthetics but no other branch of cosmetology.

"Eye lash extensions" include temporary and semi-permanent enhancements designed to add length, thickness, and fullness to natural eyelashes.

"Hair designer" means ~~an individual~~ person who engages in the practice of hair design but no other branch of cosmetology in a licensed facility.

"Hair design instructor" means ~~an individual~~ person who teaches the theory and practice of hair design, but no other branch of cosmetology, at a school of cosmetology.

"Hair design salon" means a salon in which ~~an individual~~ person engages in the practice of hair design but no other branch of cosmetology.

"Hair removal" includes tweezing, waxing, sugaring, and threading. "Hair removal" does not include electrolysis.

"Independent contractor" means ~~an individual~~ person who is not an employee of a barber shop or salon but practices barbering or a branch of cosmetology within a ~~salon~~ in a licensed facility.

"Instructor license" means a license to teach the theory and practice of a branch of cosmetology at a school of cosmetology.

"Licensed facility" means any premises, building, or part of a building licensed under ~~section 4713.41~~ sections 4709 or 4713 of the Revised Code in which barbering, cosmetology, or tanning services are authorized by the state cosmetology and barber board to be performed.

~~"Advanced cosmetologist" means an individual authorized to work in a beauty salon and engage in all branches of cosmetology.~~

~~"Advanced esthetician" means an individual authorized to work in an esthetics salon, but no other type of salon, and engage in the practice of esthetics, but no other branch of cosmetology.~~

~~"Advanced hair designer" means an individual authorized to work in a hair design salon, but no other type of salon, and engage in the practice of hair design, but no other branch of cosmetology.~~

~~"Advanced license" means a license to work in a salon and practice the branch of cosmetology practiced at the salon issued under section 4713.30 of the Revised Code.~~

~~"Advanced manicurist" means an individual authorized to work in a nail salon, but no other type of salon, and engage in the practice of manicuring, but no other branch of cosmetology.~~

~~"Advanced natural hair stylist" means an individual authorized to work in a natural hair style salon, but no other type of salon, and engage in the practice of natural hair styling, but no other branch of cosmetology.~~

"Makeup artistry" means the application of cosmetics for the purpose of skin beautification. "Makeup artistry" does not include any other services described in the practice of any other branch of cosmetology.

"Manicurist" means ~~an individual person~~ who engages in the practice of manicuring but no other branch of cosmetology in a licensed facility.

"Manicurist instructor" means ~~an individual person~~ who teaches the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology.

"Nail salon" means a salon in which ~~an individual person~~ engages in the practice of manicuring but no other branch of cosmetology.

"Natural hair stylist" means ~~an individual person~~ who engages in the practice of natural hair styling but no other branch of cosmetology in a licensed facility.

"Natural hair style instructor" means ~~an individual person~~ who teaches the theory and practice of natural hair styling, but no other branch of cosmetology, at a school of cosmetology.

"Natural hair style salon" means a salon in which ~~an individual person~~ engages in the practice of natural hair styling but no other branch of cosmetology.

~~"Practice of braiding" means utilizing the technique of intertwining hair in a systematic motion to create patterns in a three-dimensional form, including patterns that are inverted, upright, or singled against the scalp that follow along straight or curved partings. It may include twisting or locking the hair while adding bulk or length with human hair, synthetic hair, or both and using simple devices such as clips, combs, and hairpins. "Practice of braiding" does not include application of weaving, bonding, and fusion of individual strands or wefts; application of dyes, reactive chemicals, or other preparations to alter the color or straighten, curl, or alter the structure of hair; embellishing or beautifying hair by cutting or singeing, except as needed to finish the ends of synthetic fibers used to add bulk to or lengthen hair.~~

"Practice of cosmetology" means the practice of all branches of cosmetology.

"Practice of esthetics" means the application of cosmetics, tonics, antiseptics, creams, lotions, or other preparations for the purpose of skin beautification and includes preparation of the skin by manual massage techniques or by use of electrical, mechanical, or other apparatus; enhancement of the skin by skin care, facials, body treatments, hair removal, and other treatments; and eye lash extension services.

"Practice of hair design" means embellishing or beautifying hair, wigs, or hairpieces by arranging, dressing, pressing, curling, waving, permanent waving, cleansing, cutting, singeing, bleaching, coloring, braiding, weaving, ~~bonding and fusion of individual strands or wefts~~, or similar work. "Practice of hair design" includes utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weaving, extending, locking, or braiding of the hair.

"Practice of manicuring" means cleaning, trimming, shaping the free edge of, or applying polish to the nails of any ~~individual person~~; applying nail enhancements and embellishments to any ~~individual person~~; massaging the hands and lower arms up to the elbow of any ~~individual person~~; massaging the feet and lower legs up to the knee of any ~~individual person~~; using lotions or softeners on the hands and feet of any ~~individual person~~; or any combination of these types of services.

"Practice of natural hair styling" means utilizing techniques performed by hand that result in tension on hair roots such as twisting, wrapping, weaving, bonding and fusion of individual strands or wefts, extending, locking, or braiding of the hair. "Practice of natural hair styling" does not include the application of dyes, reactive chemicals, or other preparations to alter the color or to straighten, curl, or alter the structure of the hair. "Practice of natural hair styling" also does not include embellishing or beautifying hair by cutting or singeing, except as needed to finish off the end of a braid, or by dressing, pressing, curling, waving, permanent waving, or similar work.

"Practicing license" means a license to practice a branch of cosmetology in a licensed facility.

"Salon" means a licensed facility on any premises, building, or part of a building in which an individual person engages in the practice of one or more branches of cosmetology. "Salon" does not include a barber shop licensed under Chapter 4709. of the Revised Code. "Salon" does not mean a tanning facility, although a tanning facility may be located in a salon.

"School of cosmetology" means any premises, building, or part of a building in which students are instructed in the theories and practices of one or more branches of cosmetology.

"Shampooing" means the act of cleansing and conditioning an individual person's hair under the supervision of an individual person licensed under this chapter and in preparation to immediately receive a service from a licensee.

"Student" means an individual person, other than an apprentice instructor, who is engaged in learning or acquiring knowledge of the practice of a branch of cosmetology at a school of cosmetology.

"Tanning facility" means any premises, building, or part of a building that contains one or more rooms or booths with any of the following:

- (A) Equipment or beds used for tanning human skin by the use of fluorescent sun lamps using ultraviolet or other artificial radiation;
- (B) Equipment or booths that use chemicals applied to human skin, including chemical applications commonly referred to as spray-on, mist-on, or sunless tans;
- (C) Equipment or beds that use visible light for cosmetic purposes.

"Threading" includes a service that results in the removal of hair from its follicle from around the eyebrows and from other parts of the face with the use of a single strand of thread and an astringent, if the service does not use chemicals of any kind, wax, or any implements, instruments, or tools to remove hair.

4713.02 State board of cosmetology.

(A) There is hereby created the state cosmetology and barber board, consisting of all of the following members appointed by the governor, with the advice and consent of the senate:

- (1) One individual person holding a current, valid cosmetologist or cosmetology instructor license at the time of appointment;
- (2) Two individual persons holding current, valid cosmetologist licenses and actively engaged in managing beauty salons for a period of not less than five years at the time of appointment;

(3) One individual person who holds a current, valid independent contractor license at the time of appointment and practices a branch of cosmetology;

(4) One individual person who represents individual persons who teach the theory and practice of a branch of cosmetology at a vocational or career-technical school;

(5) One owner or executive actively engaged in the daily operations of a licensed school of cosmetology;

(6) One owner of at least five licensed salons;

(7) One individual person who is either a certified nurse practitioner or clinical nurse specialist holding a current, valid license to practice nursing as an advanced practice registered nurse issued under Chapter 4723. of the Revised Code or a physician authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery;

(8) One individual person representing the general public;

(9) One individual person who ~~holds a current, valid tanning permit and who has owned or managed~~ represents the tanning facility for at least five years immediately preceding the individual's appointment~~industry~~;

(10) One individual person who holds a current, valid esthetician license and who has been actively practicing esthetics for a period of not less than five years immediately preceding the individual's person's appointment;

(11) Two barbers, ~~one of whom is an employer barber and one of whom is employed as a barber~~, both of whom have been licensed as barbers in this state for at least five years immediately preceding their appointment.

(B) The superintendent of public instruction shall nominate three individual persons for the governor to choose from when making an appointment under division (A)(4) of this section.

(C) All members shall be at least twenty-five years of age, residents of the state, and citizens of the United States. No more than two members, at any time, shall be graduates of the same school of cosmetology. Not more than one member shall have a common financial connection with any school of cosmetology, salon, barber school, or barber shop.

Terms of office are for five years. Terms shall commence on the first day of November and end on the thirty-first day of October. Each member shall hold office from the date of appointment until the end of the term for which appointed. In case of a vacancy occurring on the board, the governor shall, in the same manner prescribed for the regular appointment to the board, fill the vacancy by appointing a member. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office, or until a period of sixty days has elapsed, whichever occurs first. Before entering upon the discharge of the duties of the office of member, each member shall take, and file with the secretary of state, the oath of office required by Section 7 of Article XV, Ohio Constitution.

The members of the board shall receive an amount fixed pursuant to Chapter 124. of the Revised Code per diem for every meeting of the board which they attend, together with their necessary expenses, and mileage for each mile necessarily traveled.

The members of the board shall annually elect, from among their number, a chairperson and a vice-chairperson. The executive director appointed pursuant to section 4713.06 of the Revised Code shall serve as the board's secretary.

(D) The board shall prescribe the duties of its officers and establish an office within Franklin county. The board shall keep all records and files at the office and have the records and files at all reasonable hours open to public inspection in accordance with section 149.43 of the Revised Code and any rules adopted by the board in compliance with this state's record retention policy. The board also shall adopt a seal for the authentication of its orders, communications, and records.

(E) The governor may remove any member for cause prior to the expiration of the member's term of office.

(F) Whenever the term "state board of cosmetology" is used, referred to, or designated in statute, rule, contract, grant, or other document, the use, reference, or designation shall be deemed to mean the "state cosmetology and barber board" or the executive director of the state cosmetology and barber board, whichever is appropriate in context. Whenever the term "barber board" is used, referred to, or designated in statute, rule, contract, grant, or other document, the use, reference, or designation shall be deemed to mean the "state cosmetology and barber board" or the executive director of the state cosmetology and barber board, whichever is appropriate in context.

4713.03 Meetings of board.

The state cosmetology and barber board shall hold meetings to transact its business at least four times a year. The board may hold additional meetings as, in its judgment, are necessary. The board shall meet at the times and places it selects.

4713.04 Single member may act for board.

The state cosmetology and barber board may authorize any of its members, in writing, to undertake any proceedings authorized by this chapter, and the finding or order of such members is the finding of the board when confirmed by it.

4713.05 Depositing receipts.

All receipts of the state cosmetology and barber board shall be deposited into the state treasury to the credit of the occupational licensing and regulatory fund. All vouchers of the board shall be approved by the board chairperson or executive director, or both, as authorized by the board.

4713.06 Executive director - staff.

The state cosmetology and barber board shall annually appoint an executive director. The executive director may not be a member of the board, but subsequent to appointment, shall serve as secretary of the board. The executive director, before entering upon the discharge of the executive director's duties, shall file with the secretary of state a good and sufficient bond payable to the state, to ensure the faithful performance of duties of the office of executive director. The bond shall be in an amount the board requires. The premium of the bond shall be paid from appropriations made to the board for operating purposes. Whenever the term "executive director

of the state board of cosmetology" or the term "executive director of the barber board," or variations thereof, is used, referred to, or designated in statute, rule, contract, grant, or other document, the use, reference, or designation shall be deemed to mean the "executive director of the state cosmetology and barber board."

The board may employ inspectors, examiners, consultants on contents of examinations, clerks, or ~~individuals~~persons as necessary for the administration of this chapter and Chapter 4709. of the Revised Code. ~~All inspectors and examiners shall be licensed cosmetologists pursuant to this chapter or licensed barbers pursuant to Chapter 4709. of the Revised Code.~~

The board may appoint inspectors to inspect and investigate all facilities regulated by this chapter and Chapter 4709. of the Revised Code, including tanning facilities, to ensure compliance with this chapter and Chapter 4709. of the Revised Code, the rules adopted by the board, and the board's policies, in accordance with division (A)(11) of section 4713.07 of the Revised Code.

4713.07 Duties of board.

(A) The state cosmetology and barber board shall do all of the following:

(1) Regulate the practice of cosmetology and all of its branches in this state;

(2) Investigate or inspect, when evidence appears to demonstrate that ~~an individual~~person has violated any provision of this chapter or any rule adopted pursuant to it, the activities or premises of a license holder or unlicensed ~~individual~~person;

(3) Adopt rules in accordance with section 4713.08 of the Revised Code;

(4) Prescribe and make available application forms to be used by ~~individuals~~persons seeking admission to an examination conducted under section 4713.24 of the Revised Code or a license or registration issued under this chapter;

(5) Prescribe and make available application forms to be used by ~~individuals~~persons seeking renewal of a license or registration issued under this chapter;

(6) Provide a toll-free number and an online service to receive complaints alleging violations of this chapter or Chapter 4709. of the Revised Code;

(7) Report to the proper prosecuting officer violations of section 4713.14 of the Revised Code ~~of which the board is aware, where applicable;~~

(8) Submit a written report annually to the governor that provides all of the following:

(a) A discussion of the conditions in this state of ~~barbering and~~ the branches of cosmetology;

(b) An evaluation of board activities intended to aid or protect consumers;

(c) A brief summary of the board's proceedings during the year the report covers;

(d) A statement of all money that the board received and expended during the year the report covers.

(9) Keep a record of all of the following:

(a) The board's proceedings;

(b) The name and last known physical address, electronic mail address, and telephone number of each ~~individual~~person issued a license or registration under this chapter;

(c) The date and number of each license, permit, and registration that the board issues.

(10) Assist ex-offenders and military veterans who hold licenses issued by the board to find employment within salons or other facilities within this state;

(11) Require inspectors appointed pursuant to section 4713.06 of the Revised Code to conduct inspections of licensed or permitted facilities, including salons and boutique salons, schools of cosmetology, barber schools, barber shops, and tanning facilities, within ninety days of the opening for business of a licensed facility, upon complaints reported to the board, within ninety days after a violation was documented at a facility, and at least once every two years. Any ~~individual~~person, ~~after providing the individual's name and contact information,~~ may report to the board any information the ~~individual~~person may have that appears to show a violation of any provision of this chapter or rule adopted under it or a violation of any provision of Chapter 4709. of the Revised Code or rule adopted by the board pursuant to Chapter 4709. of the Revised Code. In the absence of bad faith, any ~~individual~~person who reports information of that nature or who testifies before the board in any adjudication conducted under Chapter 119. of the Revised Code shall not be liable for damages in a civil action as a result of the report or testimony. For the purpose of inspections, an independent contractor shall be added to the board's records as an individual salon.

(12) Supply a copy of the poster created pursuant to division (B) of section 5502.63 of the Revised Code to each person authorized to operate a salon, school of cosmetology, tanning facility, or other type of facility under this chapter;

(13) All other duties that this chapter imposes on the board.

(B) The board may delegate any of the duties listed in division (A) of this section or in section 4709.05 to the executive director of the board or to ~~an~~ an ~~individual~~person designated by the executive director.

4713.071 Annual report.

(A) The state cosmetology and barber board shall annually submit a written report to the governor, president of the senate, and speaker of the house of representatives. The report shall list all of the following for the preceding ~~twelve-month period~~fiscal year, as defined in section 9.34 of the Revised Code:

(1) The number of students enrolled in courses at licensed public and private schools of cosmetology and barbering;

(2) The number of students graduating from licensed public and private schools of cosmetology and barbering;

(3) The annual cost for students to attend each licensed public or private school of cosmetology and barbering;

(4) The loan default rates for licensed public and private schools of cosmetology and barbering;

(5) The first-time licensure passage rate for graduates of all public and private schools of cosmetology and barbering;

(6) The total number of new and renewal licenses in each profession;

(7) The total number of complaint-driven inspections conducted by the board;

(8) The total number and type of violations, including a list of the top ten violations, which shall aid in the identification of focus areas for continuing education purposes;

(9) The twenty salons and individuals~~persons~~ cited with the most violations for unlicensed workers;

(10) The number of adjudications or other disciplinary action taken by the board.

(B) The board shall include in the final report under division (A) of this section any recommendations it has for changes to this chapter or Chapter 4709. of the Revised Code.

4713.08 Administrative rules.

(A) The state cosmetology and barber board shall adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this chapter. The rules shall do all of the following:

(1) Govern the practice of the branches of cosmetology;

(2) Specify conditions ~~an individual~~person must satisfy to qualify for a temporary pre-examination work permit under section 4713.22 of the Revised Code and the conditions and method of renewing a temporary pre-examination work permit under that section;

(3) Provide for the conduct of examinations under section 4713.24 of the Revised Code;

(4) Specify conditions under which the board will take into account, under section 4713.32 of the Revised Code, instruction an applicant for a license under section 4713.28, 4713.30, or 4713.31 of the Revised Code received more than five years before the date of application for the license;

(5) Provide for the granting of waivers under section 4713.29 of the Revised Code;

(6) Specify conditions an applicant must satisfy for the board to issue the applicant a license under section 4713.34 of the Revised Code without the applicant taking an examination conducted under section 4713.24 of the Revised Code;

(7) Specify locations in which glamour photography services in which a branch of cosmetology is practiced may be provided;

(8) Establish conditions and the fee for a temporary special occasion work permit under section 4713.37 of the Revised Code and specify the amount of time such a permit is valid;

(9) Specify conditions an applicant must satisfy for the board to issue the applicant an independent contractor license under section 4713.39 of the Revised Code and the fee for issuance and renewal of the license;

(10) Establish conditions under which food may be sold at a salon;

(11) Specify which professions regulated by a professional regulatory board of this state may be practiced in a salon under section 4713.42 of the Revised Code;

(12) Establish standards for the provision of cosmetic therapy, massage therapy, or other professional service in a salon pursuant to section 4713.42 of the Revised Code;

(13) Establish standards for board approval of, and the granting of credits for, training in branches of cosmetology at schools of cosmetology licensed in this state;

(14) Establish the manner in which a school of cosmetology licensed under section 4713.44 of the Revised Code may offer post-secondary and advanced practice programs;

(15) Establish ~~sanitary~~infection control standards for the practice of the branches of cosmetology, salons, and schools of cosmetology;

(16) Establish the application process for obtaining a tanning facility permit under section 4713.48 of the Revised Code, including the amount of the fee for an initial or renewed permit;

(17) Establish standards for installing and operating a tanning facility in a manner that ensures the health and safety of consumers, including infection control standards and standards that do all of the following:

(a) Establish a maximum safe time of exposure to radiation and a maximum safe temperature at which sun lamps may be operated;

(b) Require consumers to wear protective eyeglasses;

(c) Require consumers to be supervised as to the length of time consumers use the facility's sun lamps;

(d) Require the operator to prohibit consumers from standing too close to sun lamps and to post signs warning consumers of the potential effects of radiation on ~~individuals~~persons taking certain medications and of the possible relationship of the radiation to skin cancer;

(e) Require the installation of protective shielding for sun lamps and handrails for consumers;

(f) Require floors to be dry during operation of lamps;

(g) Establish procedures an operator must follow in making reasonable efforts in compliance with section 4713.50 of the Revised Code to determine the age of ~~an individual~~person seeking to use sun lamp tanning services.

(18)

~~(a)~~ If the board, under section 4713.61 of the Revised Code, develops a procedure for classifying licenses inactive, do both of the following:

~~(+)(a)~~ Establish a fee for having a license classified inactive that reflects the cost to the board of providing the inactive license service. ~~If one or more renewal periods have elapsed since the license was valid, the fee shall not include lapsed renewal fees for more than three of those renewal periods;~~

~~(h)(b) Specify the continuing education that an individual person whose license has been classified inactive must complete to have the license restored. The continuing education shall be sufficient to ensure the minimum competency in the use or administration of a new procedure or product required by a licensee necessary to protect public health and safety. The requirement shall not exceed the cumulative number of hours of continuing education that the individual person would have been required to complete had the individual person retained an active license.~~

~~(b) In addition, the board may specify the conditions and method for granting a temporary work permit to practice a branch of cosmetology to an individual whose license has been classified inactive.~~

(19) Establish a fee for approval of a continuing education program under section 4713.62 of the Revised Code that is adequate to cover any expense the board incurs in the approval process;

(20) Anything else necessary to implement this chapter.

(B)

~~(1) The rules adopted under division (A)(2) of this section may establish additional conditions for a temporary pre-examination work permit under section 4713.22 of the Revised Code that are applicable to individual persons who practice a branch of cosmetology in another state or country.~~

~~(2) The rules adopted under division (A)(18)(b) of this section may establish additional conditions for a temporary work permit that are applicable to individuals who practice a branch of cosmetology in another state.~~

(C) The conditions specified in rules adopted under division (A)(6) of this section may include that an applicant is applying for a license to practice a branch of cosmetology for which the board determines an examination is unnecessary.

(D) The rules adopted under division (A)(11) of this section shall not include a profession if practice of the profession in a salon is a violation of a statute or rule governing the profession.

(E) ~~The sanitaryinfection control standards established under division (A)(15) of this section shall focus in particular on precautions to be employed to prevent infectious or contagious diseases being created or spread. The board shall consult with the Ohio department of health when establishing the sanitary standards.~~

(F) The fee established by rules adopted under division (A)(16) of this section shall cover the cost the board incurs in inspecting tanning facilities and enforcing the board's rules but may not exceed one hundred dollars per location of such facilities.

4713.081 Posting copies of sanitaryinfection control standards.

The state cosmetology and barber board shall furnish a copy of the sanitaryinfection control standards established by rules adopted under section 4713.08 of the Revised Code to each individual person to whom the board issues a practicing license, advanced license, license to operate a salon or school of cosmetology, or boutique services registration. The board also shall furnish a copy of the sanitaryinfection control standards to each individual person providing cosmetic therapy, massage therapy, or other professional service in a salon under section 4713.42 of the Revised Code. A salon or school of cosmetology provided a copy of the sanitaryinfection control standards shall post the standards in a public and conspicuous place in the salon or school.

4713.082 Posting copies of tanning facility standards.

The state cosmetology and barber board shall furnish a copy of the standards established by rules adopted under section 4713.08 of the Revised Code for installing and operating a tanning facility to each ~~individual person~~ to whom the board issues a permit to operate a tanning facility. ~~And~~ ~~an~~ ~~individual person~~ provided a copy of the standards shall post the standards in a public and conspicuous place in the tanning facility.

4713.09 Continuing education.

The state cosmetology and barber board may adopt rules in accordance with section 4713.08 of the Revised Code to establish a continuing education requirement, not to exceed eight hours in a biennial licensing period, as a condition of renewal for a practicing license, advanced license, instructor license, or boutique services registration. These hours may include training in identifying and addressing the crime of trafficking in persons as described in section 2905.32 of the Revised Code. At least two of the eight hours of the continuing education requirement must be achieved in courses concerning safety and ~~sanitation~~infection control, and at least one hour of the eight hours of the continuing education requirement must be achieved in courses concerning law and rule updates.

4713.10 Fees.

(A) The state cosmetology and barber board shall charge and collect the following non-refundable fees:

- (1) For a temporary pre-examination work permit under section 4713.22 of the Revised Code, not more than fifteen dollars;
- (2) For initial application to take an examination under section 4713.24 of the Revised Code, not more than forty dollars;
- (3) For application to take an examination under section 4713.24 of the Revised Code by an applicant who has previously applied to take, but failed to appear for, the examination, not more than fifty-five dollars;
- (4) For application to re-take an examination under section 4713.24 of the Revised Code by an applicant who has previously appeared for, but failed to pass, the examination, not more than forty dollars;
- (5) For the issuance of a license under section 4713.28, 4713.30, or 4713.31 of the Revised Code, not more than seventy-five dollars;
- (6) For the issuance of a license under section 4713.34 of the Revised Code, not more than seventy dollars;
- (7) For renewal of a license issued under section 4713.28, 4713.30, 4713.31, or 4713.34 of the Revised Code, not more than seventy dollars;
- (8) For the issuance, ~~or renewal,~~ or the change of name or ownership of a cosmetology school license, not more than two hundred fifty dollars;

(9) For the issuance of a new salon license or the change of name or ownership of a salon license under section 4713.41 of the Revised Code, not more than one hundred dollars;

(10) For the renewal of a salon license under section 4713.41 of the Revised Code, not more than ninety dollars;

(11) For the restoration of an expired license that may be restored pursuant to section 4713.63 of the Revised Code, an amount equal to the sum of the current license renewal fee and a lapsed renewal fee of not more than forty-five dollars per license renewal period that has elapsed since the license was last issued or renewed. If one or more renewal periods have elapsed since the license was valid, the fee shall not include lapsed renewal fees for more than three of those renewal periods;

(12) For the issuance of a duplicate of any license, not more than thirty dollars;

(13) For the preparation and mailing of a licensee's records to another state for a reciprocity license, not more than fifty dollars;

(14) For the processing of any fees related to a check from a licensee returned to the board for insufficient funds, an additional thirty dollars.

(B) The board shall adjust the fees biennially, by rule, within the limits established by division (A) of this section, to provide sufficient revenues to meet its expenses.

(C) The board may ~~establish an installment plan for the payment of fines and fees and may reduce fees as considered appropriate by the board.~~

(D) At the request of a person who is temporarily unable to pay a fee imposed under division (A) of this section, or on its own motion, the board may extend the date payment is due by up to ninety days. If the fee remains unpaid after the date payment is due, the amount of the fee shall be certified to the attorney general for collection in the form and manner prescribed by the attorney general. The attorney general may assess the collection cost to the amount certified in such a manner and amount as prescribed by the attorney general.

4713.11 Fees in excess of statutory amounts.

The state cosmetology and barber board, subject to the approval of the controlling board, may establish fees in excess of the amounts provided by section 4713.10 of the Revised Code, provided that any fee increase does not exceed the amount permitted by more than fifty per cent.

4713.13 Injunctions.

Whenever in the judgment of the state cosmetology and barber board any ~~individualperson~~ has engaged in or is about to engage in any acts or practices that constitute a violation of this chapter ~~or chapter 4709. of the Revised Code, or any rule adopted under this~~either chapter, the board may apply to the appropriate court for an order enjoining the acts or practices, and upon a showing by the board that the ~~individualperson~~ has engaged in the acts or practices, the court shall grant an injunction, restraining order, or other order as may be appropriate.

4713.14 Prohibited acts.

No ~~individualperson~~ shall do any of the following:

(A) Use fraud or deceit in making application for a license, permit, or registration;

(B) Aid or abet any ~~individual~~ person or entity in any of the following:

(1) Violating this chapter or a rule adopted under it;

(2) Obtaining a license, permit, or registration fraudulently;

(3) Falsely pretending to hold a current, valid license or permit.

(C) Practice a branch of cosmetology, for pay, free, or otherwise, without one of the following authorizing the practice of that branch of cosmetology:

(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;

(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;

(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;

~~(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code;~~

~~(5)~~(4) A current, valid registration under section 4713.69 of the Revised Code.

(D) Employ ~~an individual~~ person to practice a branch of cosmetology if the person does not hold one of the following authorizing the practice of that branch of cosmetology:

(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;

(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code;

(3) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code;

~~(4) A current, valid temporary work permit issued under rules adopted by the board pursuant to section 4713.08 of the Revised Code;~~

~~(5)~~(4) A current, valid registration under section 4713.69 of the Revised Code.

(E)

Except for apprentice instructors and as provided in section 4713.45 of the Revised Code, teach the theory or practice of a branch of cosmetology at a school of cosmetology without either of the following authorizing the teaching of that branch of cosmetology:

(1) A current, valid license under section 4713.31 or 4713.34 of the Revised Code;

(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.

(F) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced unless the ~~individual~~person practicing the branch of cosmetology holds either of the following authorizing the practice of that branch of cosmetology:

(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;

(2) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.

(G) Advertise or operate a glamour photography service in which a branch of cosmetology is practiced at a location not specified by rules adopted under section 4713.08 of the Revised Code;

(H) Practice a branch of cosmetology at a salon as an independent contractor without a current, valid independent contractor license issued under section 4713.39 of the Revised Code;

(I) Operate a salon without a current, valid license under section 4713.41 of the Revised Code;

(J) Provide cosmetic therapy or massage therapy at a salon for pay, free, or otherwise without a current, valid license issued by the state medical board under section 4731.15 of the Revised Code or provide any other professional service at a salon for pay, free, or otherwise without a current, valid license or certificate issued by the professional regulatory board of this state that regulates the profession;

(K) Teach a branch of cosmetology at a salon, unless the ~~individual~~person receiving the instruction holds either of the following authorizing the practice of that branch of cosmetology:

(1) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;

(2) A current, valid temporary pre-examination work permit issued under section 4713.22 of the Revised Code.

(L) Operate a school of cosmetology without a current, valid license under section 4713.44 of the Revised Code;

(M) At a salon or school of cosmetology, do any of the following:

(1) Use or possess a cosmetic product containing an ingredient that the United States food and drug administration has prohibited by regulation;

(2) Use a cosmetic product in a manner inconsistent with a restriction established by the United States food and drug administration by regulation;

(3) Use or possess a liquid nail monomer containing any trace of methyl methacrylate (MMA).

(N) While in charge of a salon or school of cosmetology, permit any ~~individual~~person to sleep in, or use for residential purposes, any room used wholly or in part as the salon or school of cosmetology;

(O) Maintain, as an established place of business for the practice of one or more of the branches of cosmetology, a room used wholly or in part for sleeping or residential purposes;

(P) Operate a tanning facility that is offered to the public for a fee or other compensation without a current, valid permit under section 4713.48 of the Revised Code;

(Q) Practice a branch of cosmetology in a location other than a licensed facility unless otherwise exempted under section 4713.16 or 4713.17 of the Revised Code;

(R) Use any of the services or arts that are part of cosmetology to treat or attempt to cure a physical or mental disease or ailment.

4713.141 Examining product sample.

An inspector employed by the state cosmetology and barber board may take a sample of a product used or sold in a salon or school of cosmetology for the purpose of examining the sample, or causing an examination of the sample to be made, to determine whether division (M) of section 4713.14 of the Revised Code has been violated.

Should the results of the test prove that division (M) of section 4713.14 of the Revised Code has been violated, the board shall take action in accordance with section 4713.64 of the Revised Code. A fine imposed under that section shall include the cost of the test. The person's license may be suspended or revoked.

4713.15 No treatment of physical or mental disease.

This chapter does not permit any of the services or arts that are part of the practice of a branch of cosmetology to be used for the treatment or cure of a physical or mental disease or ailment.

4713.16 Exemptions.

(A) This chapter does not prohibit any of the following:

(1) Practicing a branch of cosmetology without a license or registration if the ~~individual person~~ does so for free at the ~~individual person's~~ home for a family member who resides in the same household as the ~~individual person~~;

(2) The retail sale, or trial demonstration by application to the skin for purposes of retail sale, of cosmetics, preparations, tonics, antiseptics, creams, lotions, wigs, or hairpieces without a practicing license or registration;

(3) The retailing, at a salon, of cosmetics, preparations, tonics, antiseptics, creams, lotions, wigs, hairpieces, clothing, or any other items that pose no risk of creating unsanitary conditions at the salon;

(4) The provision of glamour photography services at a licensed salon if either of the following is the case:

(a) A branch of cosmetology is not practiced as part of the services.

(b) If a branch of cosmetology is practiced as part of the services, the part of the services that is a branch of cosmetology is performed by ~~an individual~~ person who holds either of the following authorizing the ~~individual~~ person to practice that branch of cosmetology:

(i) A current, valid license under section 4713.28, 4713.30, or 4713.34 of the Revised Code;

(ii) A current, valid temporary special occasion work permit issued under section 4713.37 of the Revised Code.

(5) A student engaging, as a student, in work connected with a branch of cosmetology taught at the school of cosmetology at which the student is enrolled;

(6) Practicing a branch of cosmetology without a license or registration if the ~~individual~~ person does so for free for the purpose of researching or developing a cosmetic as defined in section 3715.01 of the Revised Code.

~~(7) The practice of a branch of cosmetology by a person licensed under this chapter on a dead human body at a facility licensed under Chapter 4717. of the Revised Code.~~

(B) A student in a career-technical program learning a branch of cosmetology may continue developing skills in the respective branch of cosmetology after completing the required coursework or obtaining a license in the respective branch of cosmetology by working in the licensed career-technical school clinic if the student does not receive any compensation. This allowance terminates upon the graduation of the student from the career-technical school.

4713.17 Exceptions.

(A) The following persons are exempt from the provisions of this chapter, except, as applicable, section 4713.42 of the Revised Code:

(1) All ~~individuals~~ persons authorized to practice medicine, surgery, dentistry, and nursing, or any of its branches, in this state, ~~while acting within the scope of practice for the license, permit, or certificate held;~~

(2) Commissioned surgical and medical officers of the United States ~~army, navy, air force, or marine hospital service~~ military when engaged in the actual performance of their official duties, and attendants attached to same, ~~while acting within the scope of practice for the license, permit, or certificate held;~~

(3) Funeral directors, embalmers, and apprentices licensed or ~~registered~~ certified under Chapter 4717. of the Revised Code, ~~while acting within the scope of practice for the license, permit, or certificate held;~~

(4) Persons who are engaged in the retail sale, cleaning, or beautification of wigs and hairpieces but who do not engage in any other act constituting the practice of a branch of cosmetology;

(5) Volunteers of hospitals, and homes as defined in section 3721.01 of the Revised Code, who render service to registered patients and inpatients who reside in such hospitals or homes. Such volunteers shall not use or work with any chemical products such as permanent wave, hair dye, or chemical hair relaxer, which without proper training would pose a health or safety problem to the patient.

(6) Nurse aides and other employees of hospitals and homes as defined in section 3721.01 of the Revised Code, who practice a branch of cosmetology on registered patients only as part of general patient care services and who do not charge patients directly on a fee for service basis;

(7) Cosmetic therapists and massage therapists who hold current, valid licenses to practice cosmetic or massage therapy issued by the state medical board under section 4731.15 of the Revised Code, ~~to the extent their actions are authorized by their licenses~~ while acting within the scope of practice for the license, permit, or certificate held;

(8) Inmates who provide services related to a branch of cosmetology to other inmates, except when those services are provided in a licensed school of cosmetology within a state correctional institution ~~for females~~.

(B) The director of rehabilitation and correction shall oversee the services described in division (A)(8) of this section with respect to ~~sanitation~~infection control and adopt rules governing those types of services provided by inmates.

4713.20 License application and examination.

Each individualperson who seeks admission to an examination conducted under section 4713.24 of the Revised Code shall submit both of the following to the state cosmetology and barber board:

(A) As part of a license application, proof that the individualperson satisfies all conditions to obtain the license for which the examination is conducted, other than the requirement to have passed the examination;

(B) A set of the individual'sperson's biometric fingerprint ~~seanscans~~ taken at the board's offices.

4713.21 Reapplying for examination.

Both of the following may apply again under section 4713.20 of the Revised Code for admission to an examination conducted under section 4713.24 of the Revised Code:

(A) ~~An~~ individualperson who failed to appear for an examination that the individualperson was previously scheduled to take;

(B) ~~An~~ individualperson who appeared for a previously scheduled examination but failed to pass it.

4713.22 Temporary pre-examination work permit.

(A) The state cosmetology and barber board shall issue a temporary pre-examination work permit to ~~an~~ individualperson who applies under section 4713.20 of the Revised Code for admission to an examination conducted under section 4713.24 of the Revised Code, if the individualperson satisfies all of the following conditions:

(1) Is seeking a practicing license or an instructor license;

(2) Has not previously failed an examination conducted under section 4713.24 of the Revised Code to determine the applicant's fitness to practice or instruct the branch of cosmetology for which the individualperson seeks a license;

(3) Pays to the board the applicable fee;

(4) Satisfies all other conditions established by rules adopted under section 4713.08 of the Revised Code.

(B) An individualperson issued a temporary pre-examination work permit may practice the branch of cosmetology for which the individualperson seeks a practicing license until the date the individualperson is scheduled to take an examination under section 4713.24 of the Revised Code. The individualperson shall practice under the supervision of an individualperson holding a current, valid license appropriate for the type of salon in which the permit holder practices.

(C) An individualperson issued a temporary pre-examination work permit may instruct the branch of cosmetology for which the individualperson seeks an instructor license for a period not to exceed one hundred twenty days.

(D) A temporary pre-examination work permit is renewable in accordance with rules adopted under section 4713.08 of the Revised Code.

4713.24 Examinations.

(A) The state cosmetology and barber board shall conduct an examination for each individualperson who satisfies the requirements established by section 4713.20 of the Revised Code for admission to the examination. Examinations for licensure for any branch of cosmetology shall assess the ability of a prospective cosmetology professional to maintain a safe and sanitary place of service delivery. The board may develop and administer the appropriate examination or enter into an agreement with a national testing service to develop the examination, administer the examination, or both. The examination shall be specific to the type of license the individualperson seeks and satisfy all of the following conditions:

(1) Include both practical demonstrations and written or oral tests related to the type of license the individualperson seeks;

(2) Relate only to a branch of cosmetology, but not be confined to any special system or method;

(3) Be consistent in both practical and technical requirements for the type of license the individualperson seeks;

(4) Be of sufficient thoroughness to satisfy the board as to the individual'sperson's skill in and knowledge of the branch of cosmetology for which the examination is conducted.

(B) ~~Not later than two years after September 13, 2016, the~~ The board shall create a curriculum and an examination for individualpersons seeking licensure to become an instructor and shall conduct an examination for each individualperson who satisfies the requirements established pursuant to section 4713.31 of the Revised Code for admission to the examination.

(C) The board shall adopt rules regarding the equipment or supplies an individualperson is required to bring to an examination described in this section.

(D) The board shall not release the questions developed for the examinations and the practical demonstrations used in the testing process, except for the following purposes:

(1) Reviewing or rewriting of any part of the examination on a periodic basis as prescribed in rules adopted under section 4713.08 of the Revised Code;

(2) Testing of individualperson in another state for admission to the profession of cosmetology or any of its branches as required under a contract or by means of a license with that state;

(3) Complying with a public records request after which the questions or the demonstrations have become a public record under division (F) of this section and otherwise may lawfully be released.

(E) The examination papers and the scored results of the practical demonstrations of each individualperson examined by the board shall be open for inspection by the individualperson or the individual'sperson's attorney for at least ninety days following the announcement of the individual'sperson's grade, except for papers that under the terms of a contract with a testing service are not available for inspection. On written request of ~~ana~~ individualperson or the individual'sperson's attorney made to the board not later than ninety days after announcement of the individual'sperson's grade, the board shall have the individual'sperson's practical examination papers regraded manually.

(F) Test materials, examinations, or evaluation tools used in an examination for licensure under this chapter that the board develops or contracts with a private or government entity to administer shall become public records under section 149.43 of the Revised Code fifteen years after the materials, examinations, or tools were first used in an assessment for licensure, unless the release of the record is otherwise prohibited by state or federal law, or the record is deemed to be the proprietary information of a private entity.

4713.25 Examination for advanced license.

(A) The state cosmetology and barber board may administer a separate advanced cosmetologist examination for individualspersons who complete an advanced cosmetologist training course separate from a cosmetologist training course. The board may combine the advanced cosmetologist examination with the cosmetologist examination for individualspersons who complete a combined cosmetologist and advanced cosmetologist training course.

(B) The board may administer a separate advanced esthetician examination for individualspersons who complete an advanced esthetician training course separate from an esthetician training course. The board may combine the advanced esthetician examination with the esthetician examination for individualspersons who complete an esthetician and advanced esthetician training course.

(C) The board may administer a separate advanced hair designer examination for individualspersons who complete an advanced hair designer training course separate from a hair designer training course. The board may combine the advanced hair designer examination with the hair designer examination for individualspersons who complete a hair designer and advanced hair designer training course.

(D) The board may administer a separate advanced manicurist examination for individualspersons who complete an advanced manicurist training course separate from a manicurist training course. The board may combine the advanced manicurist examination with the manicurist examination for individualspersons who complete a manicurist and advanced manicurist training course.

(E) The board may administer a separate advanced natural hair stylist examination for individualspersons who complete an advanced natural hair stylist training course separate from a natural hair stylist training course. The board may combine the advanced natural hair stylist

examination with the natural hair stylist examination for ~~individuals~~persons who complete a natural hair stylist and advanced natural hair stylist training course.

4713.26 Examinee furnishes own model:

~~Each individual admitted to an examination conducted under section 4713.24 of the Revised Code shall furnish the individual's own model.~~

4713.28 License qualifications.

(A) The state cosmetology and barber board shall issue a practicing license to an applicant who satisfies all of the following applicable conditions:

(1) Is at least sixteen years of age;

~~(2) Is of good moral character;~~

~~(3)~~(2) Has the equivalent of an Ohio public school tenth grade education;

(4)(3) Has submitted a written application on a form furnished by the board that contains all of the following:

(a) The name of the ~~individual~~person and any other identifying information required by the board;

~~(b) A recent photograph of the individual that meets the specifications established by the board;~~

~~(c)~~(b) A photocopy of the ~~individual's~~person's current driver's license or other proof of legal residence;

~~(d)~~(c) Proof that the ~~individual~~person is qualified to take the applicable examination as required by section 4713.20 of the Revised Code;

(e) An oath verifying that the information in the application is true;

(f) The applicable application fee.

(4) Submits to having a photograph taken by the board;

(5) Passes an examination conducted under division (A) of section 4713.24 of the Revised Code for the branch of cosmetology the applicant seeks to practice;

(6) Pays to the board the applicable license fee;

(7) In the case of an applicant for an initial cosmetologist license, has successfully completed at least one thousand five hundred hours of board-approved cosmetology training in a school of cosmetology licensed in this state, except that only one thousand hours of board-approved cosmetology training in a school of cosmetology licensed in this state is required of ~~an~~ ~~individual~~person licensed as a barber under Chapter 4709. of the Revised Code;

(8) In the case of an applicant for an initial esthetician license, has successfully completed at least six hundred hours of board-approved esthetics training in a school of cosmetology-licensed-in-this state;

(9) In the case of an applicant for an initial hair designer license, has successfully completed at least one thousand two hundred hours of board-approved hair designer training in a school of cosmetology-licensed-in-this state, except that only one thousand hours of board-approved hair designer training in a school of cosmetology licensed in this state is required of ~~an~~ an individual person licensed as a barber under Chapter 4709. of the Revised Code;

(10) In the case of an applicant for an initial manicurist license, has successfully completed at least two hundred hours of board-approved manicurist training in a school of cosmetology-licensed-in this state;

(11) In the case of an applicant for an initial natural hair stylist license, has successfully completed at least four hundred fifty hours of instruction in subjects relating to ~~sanitation~~ infection control, scalp care, anatomy, hair styling, communication skills, and laws and rules governing the practice of cosmetology.

(B) The board shall not deny a license to any applicant based on prior incarceration or conviction for any crime. If the board denies ~~an individual person~~ a license or license renewal, the reasons for such denial shall be put in writing.

4713.29 Waiving license condition.

In accordance with rules adopted under section 4713.08 of the Revised Code, the state cosmetology and barber board may waive a condition established by section 4713.28 of the Revised Code for a license to practice a branch of cosmetology for an applicant who practices that branch of cosmetology in a state or country that does not license or register branches of cosmetology.

4713.30 Qualifications for advanced license.

The state cosmetology and barber board shall issue an advanced license to an applicant who satisfies all of the following applicable conditions:

(A) Is at least sixteen years of age;

~~(B) Is of good moral character;~~

~~(C)~~ (B) Has the equivalent of an Ohio public school tenth grade education;

~~(D)~~ (C) Pays to the board the applicable application fee;

(D) Submits to having a photograph taken by the board;

(E) Passes the appropriate advanced license examination;

(F) In the case of an applicant for an initial advanced cosmetologist license, does either of the following:

~~(1) Has a licensed advanced cosmetologist or owner of a licensed beauty salon located in this or another state certify toSubmits proof, as determined by the board, that the applicant has practiced as a cosmetologist for at least one thousand eight hundred hours in a licensed beauty salon;~~

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a cosmetologist, at least three hundred hours of board-approved advanced cosmetologist training.

(G) In the case of an applicant for an initial advanced esthetician license, does either of the following:

~~(1) Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of a licensed esthetics salon or licensed beauty salon located in this or another state certify toSubmits proof, as determined by the board, that the applicant has practiced esthetics for at least one thousand eight hundred hours as an esthetician in a licensed esthetics salon or as a cosmetologist in a licensed beauty salon;~~

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as an esthetician or cosmetologist, at least one hundred fifty hours of board-approved advanced esthetician training.

(H) In the case of an applicant for an initial advanced hair designer license, does either of the following:

~~(1) Has the licensed advanced hair designer, licensed advanced cosmetologist, or owner of a licensed hair design salon or licensed beauty salon located in this or another state certify toSubmits proof, as determined by the board, that the applicant has practiced hair design for at least one thousand eight hundred hours as a hair designer in a licensed hair design salon or as a cosmetologist in a licensed beauty salon;~~

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a hair designer or cosmetologist, at least two hundred forty hours of board-approved advanced hair designer training.

(I) In the case of an applicant for an initial advanced manicurist license, does either of the following:

~~(1) Has the licensed advanced manicurist, licensed advanced cosmetologist, or owner of a licensed nail salon, licensed beauty salon, or licensed barber shop located in this or another state certify toSubmits proof, as determined by the board, that the applicant has practiced manicuring for at least one thousand eight hundred hours as a manicurist in a licensed nail salon or licensed barber shop or as a cosmetologist in a licensed beauty salon or licensed barber shop;~~

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as a manicurist or cosmetologist, at least one hundred hours of board-approved advanced manicurist training.

(J) In the case of an applicant for an initial advanced natural hair stylist license, does either of the following:

~~(1) Has the licensed advanced natural hair stylist, licensed advanced cosmetologist, or owner of a licensed natural hair style salon or licensed beauty salon located in this or another state certify toSubmits proof, as determined by the board, that the applicant has practiced natural hair styling~~

for at least one thousand eight hundred hours as a natural hair stylist in a licensed natural hair style salon or as a cosmetologist in a licensed beauty salon;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed, in addition to the hours required for licensure as natural hair stylist or cosmetologist, at least one hundred fifty hours of board-approved advanced natural hair stylist training.

~~(K) Pays to the board the applicable license fee.~~

4713.31 Qualifications for instructor license.

The state cosmetology and barber board shall issue an instructor license to an applicant who satisfies all of the following applicable conditions:

(A) Is at least eighteen years of age;

~~(B) Is of good moral character;~~

~~(C) Has the equivalent of an Ohio public school twelfth grade education;~~

~~(D) Pays to the board the applicable application fee;~~

~~(E) Submits to having a photograph taken by the board;~~

(E) In the case of an applicant for an initial cosmetology instructor license, holds a current, valid advanced cosmetologist license issued in this state and does either of the following:

(1) ~~Has the licensed advanced cosmetologist or owner of the licensed beauty salon in which the applicant has been employed certify to~~Submits proof, as determined by the board, that the applicant has engaged in the practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed one thousand hours of board-approved cosmetology instructor training as an apprentice instructor.

(F) In the case of an applicant for an initial esthetics instructor license, holds a current, valid advanced esthetician or advanced cosmetologist license issued in this state and does either of the following:

(1) ~~Has the licensed advanced esthetician, licensed advanced cosmetologist, or owner of the licensed esthetics salon or licensed beauty salon in which the applicant has been employed certify to~~Submits proof, as determined by the board, that the applicant has engaged in the practice of esthetics in a licensed esthetics salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed at least five hundred hours of board-approved esthetics instructor training as an apprentice instructor.

(G) In the case of an applicant for an initial hair design instructor license, holds a current, valid advanced hair designer or advanced cosmetologist license and does either of the following:

(1) ~~Has the licensed advanced hair designer, licensed advanced cosmetologist, or owner of the licensed hair design salon or licensed beauty salon in which the applicant has been employed certify to~~Submits proof, as determined by the board, that the applicant has engaged in the practice of hair design in a licensed hair design salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed at least eight hundred hours of board-approved hair design instructor's training as an apprentice instructor.

(H) In the case of an applicant for an initial manicurist instructor license, holds a current, valid advanced manicurist or advanced cosmetologist license and does either of the following:

(1) ~~Has the licensed advanced manicurist, licensed advanced cosmetologist, or owner of the licensed nail salon or licensed beauty salon in which the applicant has been employed certify to~~Submits proof, as determined by the board, that the applicant has engaged in the practice of manicuring in a licensed nail salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed at least three hundred hours of board-approved manicurist instructor training as an apprentice instructor.

(I) In the case of an applicant for an initial natural hair style instructor license, holds a current, valid advanced natural hair stylist or advanced cosmetologist license and does either of the following:

(1) ~~Has the licensed advanced natural hair stylist, licensed advanced cosmetologist, or owner of the licensed natural hair style salon or licensed beauty salon in which the applicant has been employed certify to~~Submits proof, as determined by the board, that the applicant has engaged in the practice of natural hair styling in a licensed natural hair style salon or practice of cosmetology in a licensed beauty salon for at least one thousand eight hundred hours;

(2) Has a school of cosmetology licensed in this state certify to the board that the applicant has successfully completed at least four hundred hours of board-approved natural hair style instructor training as an apprentice instructor.

(J) In the case of all applicants, passes an examination conducted under division (B) of section 4713.24 of the Revised Code for the branch of cosmetology the applicant seeks to instruct.

(K) ~~Pays to the board the applicable license fee.~~

4713.32 Hours of instruction.

When determining the total hours of instruction received by an applicant for a license under section 4713.28, 4713.30, or 4713.31 of the Revised Code, the state cosmetology and barber board shall not take into account more than ten hours of instruction per day. The board shall take into account instruction received more than five years prior to the date of application for the license in accordance with rules adopted under section 4713.08 of the Revised Code.

4713.34 Reciprocity.

The state cosmetology and barber board shall issue a license to practice a branch of cosmetology or instructor license to an applicant who is licensed or registered in another state or country to practice that branch of cosmetology or teach the theory and practice of that branch of cosmetology, as appropriate, if all of the following conditions are satisfied:

(A) The applicant satisfies all of the following conditions:

(1) Is not less than eighteen years of age;

~~(2) Is of good moral character;~~

~~(3) (2)~~ In the case of an applicant for a practicing license, passes an examination conducted under section 4713.24 of the Revised Code for the license the applicant seeks, unless the applicant satisfies conditions specified in rules adopted under section 4713.08 of the Revised Code for the board to issue the applicant a license without taking the examination;

~~(4) (3)~~ Pays the applicable fee.

(B) At the time the applicant obtained the license or registration in the other state or country, the requirements in this state for obtaining the license the applicant seeks were substantially equal to the other state or country's requirements.

~~(C) The jurisdiction that issued the applicant's license or registration extends similar reciprocity to individuals holding a license issued by the board.~~

4713.35 Permitted practices.

~~A~~ ~~an~~ individual ~~person~~ who holds a current, valid cosmetologist or advanced cosmetologist license issued by the state cosmetology and barber board may engage in the practice of one or more branches of cosmetology as the individual ~~person~~ chooses in a licensed facility.

~~A~~ ~~an~~ individual ~~person~~ who holds a current, valid esthetician or advanced esthetician license issued by the board may engage in the practice of esthetics but no other branch of cosmetology in a licensed facility.

~~A~~ ~~an~~ individual ~~person~~ who holds a current, valid hair designer or advanced hair designer license issued by the board may engage in the practice of hair design but no other branch of cosmetology in a licensed facility.

~~A~~ ~~an~~ individual ~~person~~ who holds a current, valid manicurist or advanced manicurist license issued by the board may engage in the practice of manicuring but no other branch of cosmetology in a licensed facility.

~~A~~ ~~an~~ individual ~~person~~ who holds a current, valid natural hair stylist or advanced natural hair stylist license issued by the board may engage in the practice of natural hair styling but no other branch of cosmetology in a licensed facility.

~~A~~ ~~an~~ individual ~~person~~ who holds a current, valid cosmetology instructor license issued by the board may teach the theory and practice of one or more branches of cosmetology at a school of cosmetology as the individual ~~person~~ chooses.

~~Any individual person~~ who holds a current, valid esthetics instructor license issued by the board may teach the theory and practice of esthetics, but no other branch of cosmetology, at a school of cosmetology.

~~Any individual person~~ who holds a current, valid hair design instructor license issued by the board may teach the theory and practice of hair design, but no other branch of cosmetology, at a school of cosmetology.

~~Any individual person~~ who holds a current, valid manicurist instructor license issued by the board may teach the theory and practice of manicuring, but no other branch of cosmetology, at a school of cosmetology.

~~Any individual person~~ who holds a current, valid natural hair style instructor license issued by the board may teach the theory and practice of natural hair styling, but no other branch of cosmetology, at a school of cosmetology.

~~Any individual person~~ who holds a current, valid boutique registration with the board may engage in the practice of boutique services but no other branch of cosmetology.

4713.36 Location of manicuring practice.

~~A licensed manicurist or licensed advanced manicurist may engage in the practice of manicuring at a nail salon or beauty salon licensed under section 4713.41 of the Revised Code or a barber shop licensed under Chapter 4709. of the Revised Code.~~

4713.37 Temporary special occasion work permit.

(A) The state cosmetology and barber board may issue a temporary special occasion work permit to ~~any individual person~~ who satisfies all of the following conditions:

(1) Has been licensed or registered in another state or country to practice a branch of cosmetology or teach the theory and practice of a branch of cosmetology for at least five years;

(2) Is a recognized expert in the practice or teaching of the branch of cosmetology the ~~individual person~~ practices or teaches;

(3) Is to practice that branch of cosmetology or teach the theory and practice of that branch of cosmetology in this state as part of a promotional or instructional program for not more than the amount of time a temporary special occasion work permit is effective;

(4) Satisfies all other conditions for a temporary special occasion work permit established by rules adopted under section 4713.08 of the Revised Code;

(5) Pays the fee established by rules adopted under section 4713.08 of the Revised Code.

(B) ~~Any individual person~~ issued a temporary special occasion work permit may practice the branch of cosmetology the ~~individual person~~ practices in another state or country, or teach the theory and practice of the branch of cosmetology the ~~individual person~~ teaches in another state or country, until the expiration date of the permit. A temporary special occasion work permit is valid for the period of time specified in rules adopted under section 4713.08 of the Revised Code.

4713.39 License as independent contractor.

The state cosmetology and barber board shall issue a license to engage in the practice of a branch of cosmetology as an independent contractor to an applicant who pays the applicable fee; holds a current, valid license for ~~barbering or the type of salon in which the applicant will practice that~~ branch of cosmetology the applicant will practice; and satisfies the conditions for the license established by rules adopted under section 4713.08 of the Revised Code.

4713.41 Salon requirements.

The state cosmetology and barber board shall issue a license to operate a salon, including a boutique salon, to an applicant who pays the applicable fee and affirms that all of the following conditions will be met:

(A)

(1) ~~An individual person~~ holding a current, valid cosmetologist license or boutique services registration pertaining to the branch of cosmetology services performed at the salon or boutique salon, shall have charge of and immediate supervision over the salon at all times when the salon is open for business except as permitted under division (A)(2) of this section.

(2) A business establishment that is engaged primarily in retail sales but is also licensed as a salon shall have present ~~an individual person~~ holding a current, valid license or registration to practice in that type of salon in charge of and in immediate supervision of the salon during posted or advertised service hours, if the practice of cosmetology is restricted to those posted or advertised service hours.

(B) The salon is equipped to do all of the following:

(1) Provide potable running hot and cold water and proper drainage;

(2) ~~Sanitize~~Disinfect all instruments and supplies used in the branch of cosmetology provided at the salon;

(3) If cosmetic therapy, massage therapy, or other professional service is provided at the salon under section 4713.42 of the Revised Code, sanitize all instruments and supplies used in the cosmetic therapy, massage therapy, or other professional service.

(C) Except as provided in sections 4713.42 and 4713.49 of the Revised Code, only the branch of cosmetology that the salon is licensed to provide is practiced at the salon.

(D) The salon is kept in a clean and sanitary condition and properly ventilated.

(E) No food is sold at the salon in a manner inconsistent with rules adopted under section 4713.08 of the Revised Code.

(F) A notice that contains a toll-free number and online process for reporting alleged violations of this chapter, as prescribed by the board of cosmetology, is posted at the salon in a common area for all customers of salon services.

4713.42 Cosmetic or massage therapy in barber shops or salons.

~~Any individual person~~ holding a current, valid license issued under section 4731.15 of the Revised Code to provide cosmetic therapy or massage therapy may provide cosmetic therapy or massage therapy, as appropriate, in a barber shop or salon. ~~Any individual person~~ holding a current, valid license or certificate issued by a professional regulatory board of this state may practice the ~~individual person's~~ profession in a barber shop or salon if the ~~individual person's~~ profession is authorized by rules adopted under section 4713.08 of the Revised Code to practice in a barber shop or salon.

~~Any individual person~~ providing cosmetic therapy, massage therapy, or other professional service in a barber shop or salon pursuant to this section shall satisfy the standards established by rules adopted under ~~sections~~ sections 4709.05 and 4713.08 of the Revised Code.

4713.44 License to operate a school of cosmetology.

(A) The state cosmetology and barber board shall issue a license to operate a school of cosmetology to an applicant who pays the applicable fee and satisfies all of the following requirements:

(1) Maintains a course of practical training and technical instruction for the branch or branches of cosmetology to be taught at the school equal to the requirements for admission to an examination under section 4713.24 of the Revised Code that ~~any individual person~~ must pass to obtain a license to practice that branch or those branches of cosmetology;

(2) Possesses or makes available apparatus and equipment sufficient for the ready and full teaching of all subjects of the curriculum;

(3) Maintains ~~individual persons~~ licensed under section 4713.31 or 4713.34 of the Revised Code to teach the theory and practice of the branches of cosmetology;

(4) Notifies the board of the enrollment of each new student, keeps a record devoted to the different practices, establishes grades, and holds examinations in order to certify the students' completion of the prescribed course of study before the issuance of certificates of completion;

(5) In the case of a school of cosmetology that offers clock hours for the purpose of satisfying minimum hours of training and instruction, keeps a daily record of the attendance of each student;

(6) On the date that an apprentice cosmetology instructor begins cosmetology instructor training at the school, certifies the name of the apprentice cosmetology instructor to the board along with the date on which the apprentice's instructor training began;

(7) Instructs not more than six apprentice cosmetology instructors at any one time;

(8) Files with the board a good and sufficient surety bond executed by the ~~individual person~~, firm, or corporation operating the school of cosmetology as principal and by a surety company as surety in the amount of ten thousand dollars; provided, that this requirement does not apply to a vocational or career-technical school program conducted by a city, exempted village, local, or joint vocational school district. The bond shall be in the form prescribed by the board and be conditioned upon the school's continued instruction in the theory and practice of the branches of cosmetology.

Every bond shall continue in effect until notice of its termination is given to the board by registered mail and every bond shall so provide.

(9) Establishes and maintains an internal procedure for processing complaints filed against the school and for providing students with instructions on how to file a complaint directly with the board pursuant to section 4713.641 of the Revised Code.

(B) A school of cosmetology holding a license issued under division (A) of this section is an educational institution and is authorized to offer educational programs beyond secondary education, advanced practice programs, or both in accordance with rules adopted by the board pursuant to section 4713.08 of the Revised Code.

(C) A school of cosmetology holding a license to operate a school of cosmetology on September 29, 2013, shall establish and maintain an internal procedure for processing complaints filed against the school and shall provide each of the school's students with instructions on how to file a complaint directly with the board pursuant to section 4713.641 of the Revised Code.

4713.45 Practices of school of cosmetology.

(A) A school of cosmetology may do the following:

(1) In accordance with rules adopted under section 4713.08 of the Revised Code, a school of cosmetology operated by a public entity or a private person may offer clock hours, credit hours, or competency-based credits for the purpose of satisfying minimum hours of training and instruction;

(2) Allow an apprentice cosmetology instructor the regular quota of students prescribed by the state cosmetology and barber board if a cosmetology instructor is present;

(3) Compensate an apprentice cosmetology instructor;

(4) Subject to division (B) of this section, employ ~~an~~ an individual person who does not hold a current, valid instructor license to teach subjects related to a branch of cosmetology.

(B) A school of cosmetology shall have a licensed cosmetology instructor present when ~~an~~ an individual person employed pursuant to division (A)(4) of this section teaches at the school, unless the individual person is one of the following:

(1) ~~An~~ An individual person with a current, valid teacher's certificate or educator license issued by the state board of education;

(2) ~~An~~ An individual person with a bachelor's degree in the subject the person teaches at the school;

(3) ~~An~~ An individual person also employed by a university or college to teach the subject the person teaches at the school.

(C) A school of cosmetology shall annually review the subjects and coursework required to receive an initial cosmetology license and advanced license and, in doing so, shall incorporate standards adopted by the state cosmetology and barber board pursuant to division (A)(13) of section 4713.08 of the Revised Code.

4713.46 Actions against school.

A student who is injured or damaged by reason of the failure of a school of cosmetology to continue instruction in the theory and practice of a branch of cosmetology may maintain an action on the bond against the school, or surety named therein, or both of them, for the recovery of any money or tuition paid in advance for instruction in the theory and practice of a branch of cosmetology that was not received. The aggregate liability of the surety to all students shall not exceed the sum of the bond.

4713.48 Permit to operate tanning facility.

(A) The state cosmetology and barber board shall issue a permit to operate a tanning facility to an applicant if all of the following conditions are satisfied:

(1) The applicant applies in accordance with the application process adopted by rules adopted under section 4713.08 of the Revised Code.

(2) The applicant pays to the treasurer of state the fee established by those rules.

(3) An initial inspection of the premises indicates that the tanning facility has been installed and will be operated in accordance with those rules.

(B) A permit holder shall post the permit in a public and conspicuous place on any premises where the tanning facility is located. ~~An individual person~~ shall obtain a separate permit for each of the premises owned or operated by that ~~individual person~~ at which the ~~individual person~~ seeks to operate a tanning facility.

(C) To continue operating, a permit holder shall biennially renew the permit by the last day of January of each odd-numbered year. The board shall renew the permit upon the holder's payment to the treasurer of state of the biennial renewal fee.

4713.49 Tanning facility at salon or school.

The owner or manager of a ~~barber shop, salon, or school~~ that has a permit issued under section 4713.48 of the Revised Code may operate a tanning facility at the ~~barber shop, salon, or school~~.

4713.50 Age restrictions for tanning services.

(A) A tanning facility operator or employee shall make reasonable efforts, in accordance with procedures established under section 4713.08 of the Revised Code, to determine whether ~~an individual person~~ seeking to use the facility's sun lamp tanning services is less than sixteen years of age, at least sixteen but less than eighteen years of age, or eighteen years of age or older.

(B)

(1) A tanning facility operator or employee shall not allow ~~an individual person~~ who is eighteen years of age or older to use the facility's sun lamp tanning services without first obtaining the consent of the ~~individual person~~. The consent shall be evidenced by the ~~individual person's~~ signature on the form developed by the state cosmetology and barber board under section 4713.51 of the Revised Code. The consent is valid indefinitely.

(2) A tanning facility operator or employee shall not allow ~~an individual person~~ who is at least sixteen but less than eighteen years of age to use the facility's sun lamp tanning services without

first obtaining the consent of a parent or legal guardian of the individual person. The consent shall be evidenced by the signature of the parent or legal guardian on the form developed by the board under section 4713.51 of the Revised Code. The form must be signed in the presence of the operator or an employee of the tanning facility. The consent is valid for ninety days from the date the form is signed. A tanning facility operator or employee shall not allow an individual person who is at least sixteen but less than eighteen years of age to use the facility's sun lamp tanning services for more than forty-five sessions during the ninety-day period covered by the consent. No such session may be longer than the maximum safe time of exposure specified in rules adopted under division (A)(17) of section 4713.08 of the Revised Code.

(3) A tanning facility operator or employee shall not allow an individual person who is less than sixteen years of age to use the facility's sun lamp tanning services unless both of the following apply:

(a) The tanning facility operator or employee obtains the consent of a parent or legal guardian of the individual person prior to each session of the use of the facility's sun lamp tanning services. The consent shall be evidenced by the signature of the parent or legal guardian on the form developed by the board under section 4713.51 of the Revised Code. The form must be signed in the presence of the operator or an employee of the tanning facility.

(b) A parent or legal guardian of the individual person is present at the tanning facility for the duration of each session of the use of the facility's sun lamp tanning services.

(c) For purposes of division (B) of this section, an electronic signature may be used to provide and may be accepted as a signature evidencing consent.

4713.51 Consent form.

The state cosmetology and barber board shall develop a form for use by tanning facility operators and employees in complying with the consent requirements of division (B) of section 4713.50 of the Revised Code. The form must describe the potential health effects of radiation from sun lamps, including a description of the possible relationship of the radiation to skin cancer. In developing the form, the board shall consult with the department of health, dermatologists, and tanning facility operators. The board shall make the form available on the internet web site maintained by the board.

4713.55 License contents.

Every license issued by the state cosmetology and barber board shall be signed by the chairperson and attested by the executive director of the board, with the seal of the board attached.

The board shall specify on each practicing license that the board issues the branch of cosmetology that the license entitles the holder to practice. The board shall specify on each advanced license that the board issues ~~the type of salon in which the license entitles the holder to work and the branch of cosmetology that the license entitles the holder to practice.~~ The board shall specify on each instructor license that the board issues the branch of cosmetology that the license entitles the holder to teach. The board shall specify on each salon license that the board issues the branch of cosmetology that the license entitles the holder to offer. The board shall specify on each independent contractor license that the board issues ~~the branch of cosmetology that the license entitles the holder to offer within a licensed salon~~ that the holder is only entitled to practice a branch of cosmetology within a licensed salon for which a current, valid license is held. Such licenses are prima-facie evidence of the right of the holder to practice or teach the branch of cosmetology that the license specifies.

4713.56 Posting license or certificate.

Every holder of a practicing license, instructor license, independent contractor license, or boutique service registration issued by the state cosmetology and barber board shall maintain the board-issued, wallet-sized license or electronically generated license certification or registration and a current government-issued photo identification that can be produced upon inspection or request.

~~Every holder of a license to operate a salon issued by the board shall display the license in a public and conspicuous place in the salon.~~

Every holder of a license to operate a barber school or school of cosmetology issued by the board shall display the license in a public and conspicuous place in the school.

Every ~~individual~~person who provides cosmetic therapy, massage therapy, or other professional service in a salon under section 4713.42 of the Revised Code shall maintain the ~~individual person's~~ professional license or certificate or electronically generated license certification or registration and a state of Ohio issued photo identification that can be produced upon inspection or request.

4713.57 Expiration of licenses.

A license or registration issued by the state cosmetology and barber board pursuant to this chapter is valid until the last day of January of the odd-numbered year following its original issuance or renewal, unless the license is revoked or suspended prior to that date. Renewal shall be done in accordance with the standard renewal procedure of Chapter 4745. of the Revised Code. The board may refuse to renew a license if the ~~individual~~person holding the license has an outstanding unpaid fine levied under section 4713.64 of the Revised Code.

4713.58 Reissuance of license.

(A) Except as provided in division (B) of this section, on payment of the renewal fee and submission of proof satisfactory to the state cosmetology and barber board that any applicable continuing education requirements have been completed, ~~an individual~~person currently licensed as:

(1) A cosmetology instructor who has previously been licensed as a cosmetologist or an advanced cosmetologist, is entitled to the reissuance of a cosmetologist or advanced cosmetologist license;

(2) An esthetics instructor who has previously been licensed as an esthetician or an advanced esthetician, is entitled to the reissuance of an esthetician or advanced esthetician license;

(3) A hair design instructor who has previously been licensed as a hair designer or an advanced hair designer, is entitled to the reissuance of a hair designer or advanced hair designer license;

(4) A manicurist instructor who has previously been licensed as a manicurist or an advanced manicurist, is entitled to the reissuance of a manicurist or advanced manicurist license;

(5) A natural hair style instructor who has previously been licensed as a natural hair stylist or an advanced natural hair stylist, is entitled to the reissuance of a natural hair stylist or advanced natural hair stylist license.

(B) No individual person is entitled to the reissuance of a license under division (A) of this section if the license was revoked or suspended or the individual person has an outstanding unpaid fine levied under section 4713.64 of the Revised Code.

4713.59 Continuing education.

If the state cosmetology and barber board adopts rules under section 4713.09 of the Revised Code to establish a continuing education requirement as a condition of renewal for a practicing license, advanced license, or instructor license, the board shall inform each affected licensee of the continuing education requirement that applies to the next biennial licensing period by including that information in the renewal notification it sends the licensee. The notification shall state that the licensee must complete the continuing education requirement by the fifteenth day of January of the next odd-numbered year.

Hours completed in excess of the continuing education requirement may not be applied to the next biennial licensing period.

4713.60 Renewals.

(A) Except as provided in division (C) of this section, ~~an individual person~~ seeking a renewal of a license to practice a branch of cosmetology, advanced license, instructor license, or boutique services registration shall ~~include provide in the renewal application~~ provide satisfactory proof of completion of any applicable continuing education requirements established by rules adopted under section 4713.09 of the Revised Code.

(B) If an applicant fails to provide satisfactory proof of completion of any applicable continuing education requirements, the board shall notify the applicant that the application is incomplete. The board shall not renew the license or registration until the applicant provides satisfactory proof of completion of any applicable continuing education requirements. The board may provide the applicant with an extension of up to ninety days in which to complete the continuing education requirement. In providing for the extension, the board may charge the licensee or registrant a fine of up to one hundred dollars.

(C) The board may waive, or extend the period for completing, any continuing education requirement if a licensee or registrant applies to the board and provides proof satisfactory to the board of being unable to complete the requirement within the time allowed because of any of the following:

(1) An emergency;

(2) An unusual or prolonged illness;

(3) Active duty service in any branch of the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state.

The board shall determine the period of time during which each extension is effective and shall inform the applicant. The board shall also inform the applicant of the continuing education requirements that must be met to have the license or registration renewed. If an extension is granted for less than one year, the continuing education requirement for that year, in addition to the required continuing education for the succeeding year, must be completed in the succeeding year. In all other cases the board may waive all or part of the continuing education requirement on a case-by-case basis. Any required continuing education shall be completed and satisfactory

proof of its completion submitted to the board by a date specified by the board. Every license or registration that has not been renewed in the timeframe specified in section 4713.57 of the Revised Code and for which the continuing education requirement has not been waived or extended shall be considered expired.

4713.61 License classified inactive.

(A) If the state cosmetology and barber board adopts a continuing education requirement under section 4713.09 of the Revised Code, it may develop a procedure by which ~~an individual person~~ who holds a license to practice a branch of cosmetology, advanced license, or instructor license and who is not currently engaged in the practice of the branch of cosmetology or teaching the theory and practice of the branch of cosmetology, but who desires to be so engaged in the future, may apply to the board to have the ~~individual person's~~ license classified inactive. If the board develops such a procedure, ~~an individual person~~ seeking to have the ~~individual person's~~ license classified inactive shall apply to the board on a form provided by the board and pay the fee established by rules adopted under section 4713.08 of the Revised Code.

(B) The board shall not restore an inactive license until ~~the later of the following:~~

~~(1) The date that the individual person holding the license submits proof satisfactory to the board that the individual person has completed the continuing education that a rule adopted under section 4713.08 of the Revised Code requires;~~

~~(2) The last day of January of the next odd-numbered year following the year the license is classified inactive.~~

~~(C) An individual who holds an inactive license may engage in the practice of a branch of cosmetology if the individual holds a temporary work permit as specified in rules adopted by the board under section 4713.08 of the Revised Code.~~

4713.62 Continuing education approval of program.

(A) ~~An~~ individual person holding a practicing license, advanced license, instructor license, or boutique services registration may satisfy a continuing education requirement established by rules adopted under section 4713.09 of the Revised Code only by completing continuing education programs approved under division (B) of this section.

(B) The state cosmetology and barber board shall approve a continuing education program if all of the following conditions are satisfied:

(1) The person operating the program submits to the board a written application for approval.

(2) The person operating the program pays to the board a fee established by rules adopted under section 4713.08 of the Revised Code.

(3) The program is operated by an employee, officer, or director of a nonprofit professional association, college or university, proprietary continuing education institutions providing programs approved by the board, vocational school, postsecondary proprietary school of cosmetology licensed by the board, salon licensed by the board, or manufacturer of supplies or equipment used in the practice of a branch of cosmetology.

(4) The program will do at least one of the following:

(a) Enhance the professional competency of the affected licensees or registrants;

(b) Protect the public;

(c) Educate the affected licensees or registrants in the application of the laws and rules regulating the practice of a branch of cosmetology.

(5) The person operating the program provides the board a tentative schedule of when the program will be available so that the board can make the schedule readily available to all licensees and registrants throughout the state.

4713.63 Restoring expired license.

A practicing license, advanced license, or instructor license that has not been renewed for any reason other than because it has been revoked, suspended, or classified inactive, or because the license holder has been given a waiver or extension under section 4713.60 of the Revised Code, is expired. An expired license may be restored if the ~~individual~~ person who held the license meets all of the following applicable conditions:

(A) Pays to the state cosmetology and barber board the restoration fee established under section 4713.10 of the Revised Code;

(B) In the case of a practicing license or advanced license that has been expired for more than two consecutive license renewal periods, completes eight hours of continuing education for each license renewal period that has elapsed since the license was last issued or renewed, up to a maximum of twenty-four hours. At least four of those hours shall include a course pertaining to ~~sanitation~~ infection control and safety methods.

~~The board shall deposit all fees it receives under division (B) of this section into the general revenue fund.~~

4713.64 Violations.

(A) The state cosmetology and barber board may take disciplinary action under this chapter or ~~chapter 4709. of the Revised Code~~ for any of the following:

(1) Failure to comply with the safety, ~~sanitation~~ infection control, and licensing requirements of this chapter or chapter 4709. of the Revised Code or rules adopted under ~~either chapter~~;

(2) Continued practice by ~~any~~ an individual ~~person~~ knowingly having an infectious or contagious disease;

(3) Habitual drunkenness or addiction to any habit-forming drug;

(4) Willful false and fraudulent or deceptive advertising;

(5) Falsification of any record or application required to be filed with the board;

(6) Failure to pay a fine or abide by a suspension order issued by the board;

(7) Failure to cooperate with an investigation or inspection;

(8) Failure to respond to a subpoena;

(9) Conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code;

(10) In the case of a salon or barber shop, any ~~individual's~~ person's conviction of or plea of guilty to a violation of section 2905.32 of the Revised Code for an activity that took place on the premises of the salon or barber shop.

(B) On determining that there is cause for disciplinary action, the board may do one or more of the following:

(1) Deny, revoke, or suspend, or impose conditions upon a license, permit, or registration issued by the board under this chapter or chapter 4709, of the Revised Code;

(2) Impose a fine;

(3) Require the holder of a license, permit, or registration issued under this chapter or chapter 4709, of the Revised Code to take corrective action courses.

(C)

(1) Except as provided in divisions (C)(2) and (3) of this section, the board shall take disciplinary action pursuant to an adjudication under Chapter 119. of the Revised Code.

(2) The board may take disciplinary action without conducting an adjudication under Chapter 119. of the Revised Code against ~~an individual person~~ or salon or barber shop who violates division (A)(9) or (10) of this section. After the board takes such disciplinary action, the board shall give written notice to the subject of the disciplinary action of the right to request a hearing under Chapter 119. of the Revised Code.

(3) In lieu of an adjudication, the board may enter into a consent agreement with the holder of a license, permit, or registration issued under this chapter or chapter 4709, of the Revised Code. A consent agreement that is ratified by a majority vote of a quorum of the board members is considered to constitute the findings and orders of the board with respect to the matter addressed in the agreement. If the board does not ratify a consent agreement, the admissions and findings contained in the agreement are of no effect, and the case shall be scheduled for adjudication under Chapter 119. of the Revised Code.

(D) The amount and content of corrective action courses and other relevant criteria shall be established by the board in rules adopted under section 4713.08 of the Revised Code.

(E)

(1) The board may impose a separate fine for each offense listed in division (A) of this section. The amount of the first fine issued for a violation as the result of an inspection shall be not more than two hundred fifty dollars if the violator has not previously been fined for that offense. Any fines issued for additional violations during such an inspection shall not be more than one hundred dollars for each additional violation. The fine shall be not more than five hundred dollars if the violator has been fined for the same offense once before. Any fines issued for additional violations during a second inspection shall not be more than two hundred dollars for each additional violation. The fine shall be not more than one thousand dollars if the violator has been fined for the same offense two or more times before. Any fines issued for additional violations during a third inspection shall not be more than three hundred dollars for each additional violation.

(2) The board shall issue an order notifying a violator of a fine imposed under division (E)(1) of this section. The notice shall specify the date by which the fine is to be paid. The date shall be less than forty-five days after the board issues the order.

(3) At the request of a violator who is temporarily unable to pay a fine, or upon its own motion, the board may extend the time period within which the violator shall pay the fine up to ninety days after the date the board issues the order.

~~(4) If a violator fails to pay a fine by the date specified in the board's order and does not request an extension within ten days after the date the board issues the order, or if the violator fails to pay the fine within the extended time period as described in division (E)(3) of this section, the board shall add to the fine an additional penalty equal to ten per cent of the fine.~~

~~(5) If a violator fails to pay a fine within ninety days after the board issues the order, the board shall add to the fine interest at a rate specified by the board in rules adopted under section 4713.08 of the Revised Code.~~

~~(6)(4) If the fine, including any interest or additional penalty, remains unpaid on the ninety-first day after the board issues an order under division (E)(2) of this section, the amount of the fine and any interest or additional penalty shall be certified to the attorney general for collection in the form and manner prescribed by the attorney general. The attorney general may assess the collection cost to the amount certified in such a manner and amount as prescribed by the attorney general.~~

(F) In the case of an offense of failure to comply with division (A) or (B)(2) or (3) of section 4713.50 of the Revised Code, the board shall impose a fine of five hundred dollars if the violator has not previously been fined for that offense. If the violator has previously been fined for the offense, the board may impose a fine in accordance with this division or take another action in accordance with division (B) of this section.

(G) The board shall notify a licensee or registrant who is in violation of division (A) of this section and the owner of the salon ~~or barber shop~~ in which the conditions constituting the violation were found. The ~~individualperson~~ receiving the notice of violation and the owner of the salon ~~or barber shop~~ may request a hearing pursuant to section 119.07 of the Revised Code. If the ~~individualperson~~ or owner fails to request a hearing or enter into a consent agreement thirty days after the date the board, in accordance with section 119.07 of the Revised Code and division (J) of this section, notifies the ~~individualperson~~ or owner of the board's intent to act against the ~~individualperson~~ or owner under division (A) of this section, the board by a majority vote of a quorum of the board members may take the action against the ~~individualperson~~ or owner without holding an adjudication hearing.

(H) The board, after a hearing in accordance with Chapter 119. of the Revised Code or pursuant to a consent agreement, may suspend a license, permit, or registration if the licensee, permit holder, or registrant fails to correct an unsafe condition that exists in violation of the board's rules or fails to cooperate in an inspection. If a violation of this chapter ~~or chapter 4709. of the Revised Code~~ or rules adopted under ~~either chapter~~ has resulted in a condition reasonably believed by an inspector to create an immediate danger to the health and safety of any ~~individualperson~~ using the facility, the inspector may suspend the license or permit of the facility or the ~~individualperson~~ responsible for the violation without a prior hearing until the condition is corrected or until a hearing in accordance with Chapter 119. of the Revised Code is held or a consent agreement is entered into and the board either upholds the suspension or reinstates the license, permit, or registration.

(I) The board shall not take disciplinary action against ~~an individualperson~~ licensed to operate a salon, ~~barber shop, barber school,~~ or school of cosmetology for a violation of this chapter ~~or chapter~~

~~4709. of the Revised Code that was committed by an individualperson licensed to practice barbering or a branch of cosmetology, while practicing within the salon, barber shop, or school, when the individual'sperson's actions were beyond the control of the salon owner or school.~~

(J) In addition to the methods of notification required under section 119.07 of the Revised Code, the board may send the notices required under divisions (C)(2), (E)(2), and (G) of this section by any delivery method that is traceable and requires that the delivery person obtain a signature to verify that the notice has been delivered. The board also may send the notices by electronic mail, provided that the electronic mail delivery system certifies that a notice has been received.

4713.641 Complaints.

~~Any student or former student of a school of cosmetology licensed under division (A) of section 4713.44 of the Revised Codeperson may file a complaint with the state cosmetology and barber board alleging that the schoola person or a salon, barber shop, barber school, school of cosmetology, or tanning facility has violated division (A) of section 4713.64this chapter or chapter 4709. of the Revised Code or rules adopted under either chapter. The complaint shall be in writing and signed by the individual bringing the complaint. Upon receiving a complaint, the board shall initiate a preliminary investigation to determine whether it is probable that a violation was committed. If the board determines after preliminary investigation that it is not probable that a violation was committed, the board shall notify the individualperson who filed the complaint of the board's findings and that the board will not issue apursue formal complaintaction in the matter. If the board determines after a preliminary investigation that it is probable that a violation was committed, the board shallmay proceed against the schoolperson or salon, barber shop, barber school, school of cosmetology, or tanning facility pursuant to the board's authority under section 4713.64 of the Revised Code and in accordance with the hearing and notice requirements prescribed in Chapter 119. of the Revised Code. A complaint filed under this section is confidential and is not a public record under section 149.43 of the Revised Code.~~

4713.65 Effect of child support default on license.

On receipt of a notice pursuant to section 3123.43 of the Revised Code, the state cosmetology and barber board shall comply with sections 3123.41 to 3123.50 of the Revised Code and any applicable rules adopted under section 3123.63 of the Revised Code with respect to a license issued pursuant to this chapter or licenses issued pursuant to Chapter 4709. of the Revised Code.

4713.66 Investigation and inspection of premises.

~~(A) The state cosmetology and barber board, on its own motion or on receipt of a written complaint, may investigate or inspect the activities or premises of an individualperson or entity who is alleged to have violated this chapter or chapter 4709. of the Revised Code or rules adopted under either chapter, regardless of whether the an individualperson or entity holds a license or registration issued under this chapter or chapter 4709. of the Revised Code.~~

~~(B) If, based on its investigation, the board determines that there is reasonable cause to believe that an individual or entity has violated this chapter or rules adopted under it, the board shall afford the individual or entity an opportunity for a hearing. Notice shall be given and any hearing conducted in accordance with Chapter 119. of the Revised Code.~~

~~(C) The board shall maintain a transcript of the hearing and issue a written opinion to all parties, citing its findings and ground for any action it takes. Any action shall be taken in accordance with section 4713.64 of the Revised Code.~~

4713.68 Compliance with law regarding sanctions for human trafficking.

The state cosmetology and barber board shall comply with section 4776.20 of the Revised Code.

4713.69 Boutique services registration.

(A) The state cosmetology and barber board shall issue a boutique services registration to an applicant who satisfies all of the following applicable conditions:

(1) Is at least sixteen years of age;

~~(2) Is of good moral character;~~

~~(3) Has the equivalent of an Ohio public school tenth grade education;~~

~~(4)~~(2) Has submitted a written application on a form prescribed by the board containing all of the following:

(a) The applicant's name and home address;

(b) The applicant's home telephone number and cellular telephone number, if any;

(c) The applicant's electronic mail address, if any;

(d) The applicant's date of birth;

~~(e) The address and telephone number where boutique services will be performed. The address shall not contain a post office box number.~~

~~(f)~~(e) Whether the applicant has an occupational license, certification, or registration to provide beauty services in another state, and if so, what type of license and in what state;

~~(g)~~(f) Whether the applicant has ever had an occupational license, certification, or registration suspended, revoked, or denied in any state;

~~(h)~~(g) An affidavit or certificate providing proof of formal training or apprenticeship under ~~an individual person~~ providing such services.

~~(B) The place of business where boutique services are performed must comply with the safety and sanitation requirements for licensed salon facilities as described in section 4713.41 of the Revised Code.~~

~~(C)~~(B) The board shall specify the manner by which boutique services registrants shall fulfill the continuing education requirements set forth in section 4713.09 of the Revised Code.

4713.99 Penalty.

Whoever violates ~~sections~~ sections 4709.02 or 4713.14 of the Revised Code is guilty of a misdemeanor of the fourth degree on a first offense; on each subsequent offense, such ~~individual~~ person is guilty of a misdemeanor of the third degree.