

NOTICE OF INTENT

Office of the Governor Board of Cosmetology

Cosmetologists
(LAC 46:XXXI.Chapters 3, 5, 7, 9, 11, 12, and 17)

The Louisiana State Board of Cosmetology, under authority of the Louisiana Cosmetology Act, R.S. 37:561-607, and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to amend certain rules regarding course requirements, examination of applicants, reporting student hours, transfer students, cosmetology schools, manicuring salons, pedicuring, alternative hair design, shampoo assistants and picture identification; to enact rules regarding blow-dry technicians, mobile salons and threading and to repeal rules regarding special permits for make-up application.

The revisions are necessary to update the rules and to enact rules to implement R.S. 37:575(17)(a) and R.S. 37:591.1 enacted by Act 611 (2016).

Title 46

PROFESSIONAL AND OCCUPATIONAL STANDARDS

Part XXXI. Cosmetologists

Chapter 3. Schools and Students

§301. Cosmetology Course Requirements

- A. - A.1.f. ...
- g. hair removal by cosmetic preparations, threading, waxing or other similar means;
2. - 2.d. ...
- e. esthetics;
 - f. ...
 - g. manicuring and pedicuring;
3. - 3.d. ...
4. hair designing and styling;
- a. - b. ...
 - c. alternative hair design/braiding;
5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(7).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:326 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§303. Esthetics Course Requirements

- A. - A.2.g. ...
- h. hair removal by cosmetic preparations, threading, waxing or other similar means;
- 2.i. - 3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(7).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:326 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§308. Blow-Dry Technician Course Requirements

A. Curriculum. The blow dry technician curriculum shall consist of:

1. at least 500 hours of theory instruction including but not be limited to the following:
 - a. scientific concepts;
 - b. infection control:
 - i. safety;

- ii. sanitation;
- iii. electricity;
- c. OSHA requirements;
- d. human physiology;
- e. hazards to hair and scalp.

2. at least 500 hours of clinical instruction during which the student shall perform the following services:

- a. cleaning hair;
- b. arranging, curling, dressing and other similar procedures with the use of a blow dryer;

3. Louisiana Cosmetology Act and rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(17)(a).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 43:

§309. Examination of Applicants

A. - A.4. ...

5. persons holding a cosmetology, esthetics, manicuring or instructor license issued by another state;

6. persons holding a cosmetology, esthetics, manicuring or instructor license issued by another country who have received board approval; and

7. blow-dry technician students who have completed 1000 hours of the blow-dry technician curriculum.

B. Applications. Applications for examinations must be accompanied by a student registration certificate, cumulative hours' report, a color photograph of the student, the \$25 initial license fee, and all applicable examination fees.

C. - C.1. ...

2. All requirements must be met prior to applying for the national theory and practical examinations.

3. Any applicant who attended a school unable to issue a certification due to temporary closure does not provide the certification required by this section prior to issuance of a certificate of registration or a license, shall provide the certification required by this subsection prior to renewing the certificate of registration or license, if the cosmetology school from which they graduated is able to issue the certification prior to renewal of the certificate of registration or license.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A)(4) and R.S. 37:586.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended LR 32:834 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§310. Ineligibility for Examination

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 37:1150 (April 2011), repealed by the Office of the Governor, Board of Cosmetology, LR 43:

§311. Reporting Student Hours

A. Registration. Schools shall register students with the board by submitting an accurate and completed registration application as well as the required supporting documentation within 60 days after the students start school. The maximum number of hours which will be accepted by the board at the time of registration is the number of hours earned within 60 days preceding registration.

B. Hours. Schools must register each student's hours with the board no later than on the tenth of the month for hours earned by each enrolled student in the prior month. Any student who did not earn any hours during the month shall be included on the report and the number of hours earned shall be reported as zero.

C. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(4) and R.S. 37:586.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended LR 32:835 (May 2006), LR 33:1628 (August 2007), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§313. Transfer Students

A. Out-of-State. The board will accept student transfer hours certified by the board supervising the out-of-state or if supervising board does not register student hours from the school provided that the hours are transferred to a Louisiana school and were earned within the preceding three years. Certifications of hours must be mailed to the board from the appropriate entity. The Louisiana school shall evaluate the student's transcript and determine how many hours of the curriculum have been completed by the student. The school shall submit to the board a verification of the number of transferable hours which shall include supporting data.

B. - B.1. ...

2. certification of payment of contractual fees owed to the former school, unless the former school is unable to certify payment of contractual fees owed due to temporary or permanent closure or loss of records;

B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:598(A)(4).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended LR 32:834 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§315. Responsibilities of Schools

A. Enrollment. Upon initial enrollment of a student, the school must provide the following to the board:

1. - 3. ...

a. for non-postsecondary cosmetology schools proof of completion of education equal to the tenth grade; or any documentation listed in Subparagraph b of this Paragraph:

b. for postsecondary schools:

i. proof of a high school diploma from an approved high school;

ii. general equivalency diploma; or

iii. education equivalent of a diploma from an approved high school.

4. a color photograph of the student;

5. the student registration fee; and

6. copy of Social Security card.

B. - D. ...

E. Faculty. All schools must maintain a faculty of at least one instructor per every 20 students enrolled. Each faculty shall include at least 2 instructors, who are teachers registered by the board, at least 1 of whom shall have been a registered teacher and in active practice for at least 18 months. The school shall be supervised by a registered teacher of cosmetology in active practice, with at least 24 months of teaching experience in an accredited school of cosmetology approved by the board. The senior instructor

shall supervise all other faculty members. An instructor roster must be submitted on a quarterly basis.

F. - L. ...

M. Hours. Schools must adopt a policy for the recordation of student hours and shall verify that all equipment used in the process is in working order. Each school shall post a monthly summary of hours earned by each student.

N. ...

O. Dropped Students. Schools shall provide to the board a completed notice of termination form, a contractual fee form indicating either a payment or nonpayment and the student's registration within 30 days of the student's termination date for each student who is no longer enrolled at the school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:595.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

Chapter 5. Licensees

§502. Managers

A. For purposes of R.S. 37:589 a shop owner or mobile salon owner shall be required to employ a manager, if absent from his shop more than two days per week who shall be a registered cosmetologist and who shall obtain a certificate of registration as a manager. However, a registered manicurist may manage a manicuring salon, and a registered esthetician may manage an esthetics salon. A registered manager shall be present at the salon during all hours of operation and shall be responsible for ensuring that all persons practicing within the facility are appropriately licensed and follow all applicable laws and rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 32:835 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§503. School Licenses Issued to Legal Entities

A. - A.1. ...

2. a financial statement which includes a profit and loss statement, balance sheet and three-year forecast;

A.3. - B ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:329 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§507. Blow-Dry Technicians

A. The board shall issue a blow-dry technician license to any individual who completes the blow-drying hair services course in a licensed school, successfully passes the examinations required by the board and pays the applicable license fee.

B. Blow-dry technician licenses shall be renewed annually on or before the licensee's birthday. The license shall expire 30 days following the licensee's date of birth if not timely renewed.

C. Blow-drying hair services shall be performed only at licensed cosmetology salons.

D. Blow-dry technicians shall perform blow-drying hair services in areas or stations clearly designated for blow-drying hair services only. Such stations or areas shall not

have equipment for performing cosmetology services other than blow-drying hair services.

E. Blow-drying technicians shall work all times under the supervision of a licensed cosmetologist who shall be responsible for ensuring that only blow-drying hair services are performed by the blow-dry technician.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(17)(a).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 43:

Chapter 7. Safety and Sanitation Requirements

§709. Equipment Required in Salons Offering Manicuring Services

A. - A.7. ...

B. Manicuring salons shall not have on-the-premises equipment listed in §707B.1.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:330 (March 2003), amended LR 32:835 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§713. Procedures for Manicuring and Pedicuring Services

A. All manicurists and cosmetologists performing manicuring or pedicuring services shall:

1. wash his or her hands using antimicrobial wash prior to performing any manicuring or pedicuring service;
2. - 3. ...
4. wash all towels and linens in disinfecting detergent;
5. place all used disposable items in a closed, bagged, trash container; and
6. sanitize pedicuring tub after each service in accordance with the manufacturer's instructions or in a manner consistent with recommended procedures necessary to prevent infection.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended LR 32:835 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 43:

Chapter 9. Inspections

§901. Access of Inspectors

A. Access. Inspectors and employees of the board are entitled to enter any premises or mobile salon licensed by the board, to interview any person present at the facility and to examine all work records pertaining to the cosmetology profession during the regular business hours of the facility.

B. Information. Any proprietary information gained by an inspector or employee of the board during an inspection shall remain confidential unless the information is to be offered as evidence in an administrative hearing or court proceeding concerning a license issued by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(10).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§903. Violations

A. ...

B. Violation Notice. Inspectors must present the licensee with a duplicate copy of the violation notice.

C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(5).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

Chapter 11. Special and Temporary Permits

§1101. Special Permits

A. - A.3. ...

4. threading.

B. All special permits issued by the board shall be valid for a period of one year. Alternative hair design and make-up permits issued prior to December 31, 2016, shall be renewable annually upon payment of the applicable permit fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§1105. Special Permit for Alternative Hair Design

A. Alternative Hair Design. Individuals with special permits for alternative hair design shall be authorized to provide alternative hair design services only in facilities licensed by the board as cosmetology salons.

B. Notwithstanding the provisions of Subsection A, any person who applies for a special permit to practice alternative hair design who, has been issued an alternative hair design permit in another state and satisfactorily demonstrates two years of experience in the practice of alternative hair design shall be issued a permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:332 (March 2003), amended LR 29:2781 (December 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§1109. Special Permit for Shampoo Assistants

A. Shampoo Assistants. A special permit authorizing the performance of shampooing shall be issued to any person who successfully completed at least 40 hours of training in shampooing, draping and rinsing at a cosmetology school approved by the board.

B. A special permit authorizing the salon owner or manager to train individuals who work in the salon, as shampoo assistants if the salon owner or manager has completed at least 40 hours of training in shampooing. No individual enrolled in a cosmetology school shall work as a shampoo assistant.

C. - D.5. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:332 (March 2003), amended LR 29:2781 (December 2003), LR 32:835 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§1110. Special Permits for Threading

A. Definitions

Threader—a person who engages in the practice of threading for compensation, directly or indirectly, including tips.

Threading—the practice of using a thread to remove facial hair but does not include hair removal by any other

means or any other practice within the definition of esthetics.

Threading Facility—any premises upon or within which threading is practiced for compensation, directly or indirectly, including tips.

B. Qualifications for Permit as a Threader

1. In order to receive a permit as a registered threader, a person shall meet all of the following requirements:

- a. be at least 16 years of age;
- b. have equivalent training as would be contemplated in the satisfactory completion of the tenth grade from an approved high school;
- c. annually complete the board's required training on sanitation.

C. A threading facility owner, who is not a licensed cosmetologist or an esthetician or permitted as a threader, shall employ one or more registered managers who shall be licensed as cosmetologists or estheticians or permitted as a threader. A registered manager shall be present at the facility during all hours of operation and shall be responsible for ensuring that all persons practicing threading within the facility are appropriately licensed and follow all applicable laws and rules and regulations. A threading facility owner who is absent from his respective facility more than two working days per week shall employ a manager, who shall be a registered cosmetologist or a permitted threader and who shall obtain a certificate of registration as a manager.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(1).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 43:

§1111. Special Permit for Make-Up Application

Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:332 (March 2003), amended LR 29:2782 (December 2003), LR 32:836 (May 2006), repealed by the Office of the Governor, Board of Cosmetology, LR 43:

Chapter 12. Mobile Salons

§1201. Mobile Salons

A. The operation of mobile cosmetology salons shall meet and at all times remain in compliance with all federal, state and local laws and ordinances regulating mobile businesses in the areas in which the mobile salon operates, including all applicable requirements of the Americans with Disabilities Act and the occupational safety and health requirements. A ramp or lift shall be available for access to the mobile unit to provide services for disabled individuals.

B. Each mobile salon shall at all times comply with the requirements of chapter 6A of title 37 of the *Louisiana Revised Statutes* and all rules promulgated by the board applicable to cosmetology salons at fixed locations except to the extent any rule is in direct conflict with this rule.

C. The geographical boundaries within which the mobile salon is permitted to operate shall extend no further than a 50-mile radius from the designated storage locations and shall include only the cities and parishes within which the mobile unit has obtained permits to provide cosmetology services.

D. To facilitate inspections, every mobile salon shall:

1. Prior to the first of each month, each mobile salon license holder shall file with the board a written itinerary on the form required by the board for the month listing the

dates, hours and location when the mobile salon will be operation. Said form shall be signed by the owner or manager and shall include the names of all individuals who will be performing services on each date.

2. The salon name, as it appears on the salon license, shall be in lettering at least 5 inches in height and shall be visibly displayed and clearly legible on at least two exterior sides of the mobile salon.

3. If a mobile salon is a registered motor vehicle, the vehicle's identification number shall be included on the mobile salon's application for licensure and shall also be listed on the mobile salon's monthly itinerary filed with the board.

4. Each mobile salon shall have a phone or other means of telecommunication by which the salon can be contacted by board personnel and customers. The salon's phone and a valid email address shall be included on the mobile salon's application for licensure and shall also be listed on the mobile salon's monthly itinerary.

5. Each mobile salon shall be operated only at the times and locations specified in its monthly itinerary filed with the board. Mobile salons shall operate only when the facility is parked and only at locations where the salon owner has obtained prior permission of the property owner and complies with all zoning restrictions. No cosmetology services shall be performed while the mobile salon is in motion.

6. Each mobile salon owner shall maintain a business address in Louisiana where the mobile salon and records of appointments, itineraries, license numbers of individuals performing cosmetology services, and vehicle identification numbers shall be kept and made available for inspection by board's staff and at which correspondence from the board can be received. Post office box addresses or private mail box addresses may not be used for these purposes.

a. Due to inherent problems of providing sufficient water and sewage services to mobile salons, the following requirements shall apply.

i. Each mobile salon shall be equipped with a functional restroom which includes a self-contained, flush chemical toilet with a holding tank and lavatory facilities with hot and cold running water.

ii. Each mobile salon shall have storage capacity for the greater of 100 gallons or 35 gallons of clean water for each cosmetologist working in the mobile salon and a total storage capacity for waste water equal to or greater than the mobile salon's total required capacity for clean water.

b. Operation of a mobile salon shall promptly cease:

i. when the mobile salon's clean water supply is depleted or so diminished that further cosmetology service cannot be completed;

ii. when the mobile salon's waste water storage capacity is reached;

iii. when the mobile salon's restroom needs to be emptied;

iv. operation of a mobile salon shall not resume until a sufficient amount of clean water and waste water capacity necessary for completing all cosmetology services undertaken and the restroom is functional is available;

v. disposal of sewage and waste water by mobile salons shall comply with all applicable federal, state and local laws and regulations.

c. All storage cabinet does shall have safety latches. All equipment which is not stored in stored in storage cabinets shall be securely anchored to the mobile unit.

d. At least one state fire marshal approved fire extinguisher shall be mounted in public view. Each mobile salon shall be equipped with properly maintained commercial exhaust fans or air filtration equipment compliant with local and state building codes.

e. Applicants for licensure of a mobile salon shall pay the fees applicable to salons at fixed locations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(B)(1) and R.S. 37:591.1.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 43:

Chapter 17. Miscellaneous Provisions

§1705. Destruction of Premises

A. - B. ...

C. Temporary Premises. When temporary premises are necessary for the continuance of operation during the repair, the inspector for the area involved may approve such premises provided such premises are temporary with a specific termination date set forth for their use and further provided that such premises are sanitary and sufficient for use during the stated time period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended LR 29:2782 (December 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§1707. Remodeling

A. Application. When any school, salon, or mobile salon desires to remodel, application shall be made to the board.

B. Temporary Premises. If remodeling requires the use of temporary premises for the continuance of operation during remodeling, the board member inspector for the area may approve such premises as are adequate provided such premises are sanitary and sufficient for use during the stated time period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

§1709. Picture Identification

A. All licensees and permittees shall have in their possession a picture identification at any time at which a service is being performed.

B. Each licensee and permittee shall place a photo on the license or permit issued by the board prior to displaying the license at the location where services are being performed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended LR 29:2782 (December 2003), amended by the Office of the Governor, Board of Cosmetology, LR 43:

Family Impact Statement

The proposed rules do not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known foreseeable impact on:

1. the stability of the family;

2. the authority and rights of persons regarding education and supervision of their children;

3. the functioning of the family;

4. family earnings and budget;

5. the behavior and personal responsibility of children;

6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

Poverty Impact Statement

The proposed rules do have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets and financial security;

2. the effect on early childhood development and preschool through postsecondary education development;

3. the effect on employment and workforce development;

4. the effect on taxes and tax credits;

5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Provider Impact Statement

The proposed rules do not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;

2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or

3. the overall effect on the ability of the provider to provide the same level of service.

Public Comments

Interested persons may submit written comments, data, opinions and arguments regarding the proposed rules. Written submissions must be directed to Steve Young, 11622 Sunbelt Court, Baton Rouge, LA 70809 and must be received no later than 12 p.m. on October 27, 2017.

Steve Young

Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Cosmetologists

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There will be costs to the State Board of Cosmetology in order to implement the new rule, and will be funded with self generated revenues from the associated fees.

The proposed rule changes amend certain rules regarding course requirements, examination of applicants, reporting student hours, transfer students, cosmetology schools, manicuring salons, pedicuring, alternative hair design, shampoo assistants and picture identification; enact rules regarding blow dry technicians, mobile salons and threading permits and repeal rules regarding special permits for make-up application.

The board estimates that the addition of threading permits and blow dry technician licenses will cost \$34 per permit/license for administration costs, and the cost of the license is \$25. In FY 18, the agency estimates there will be 10 threading permits. Due to the education requirements, there will be no licenses issued to blow dry technicians in FY 18. In the two subsequent fiscal years, the agency expects there to be

an additional 10 permits/licenses each year. The board will incur one time nominal costs in order to add a blow dry technician and a threading listing to the computer database.

Additionally, the board will incur costs to add the mobile salon licenses. This will cost the board an estimated \$4 per license for the administration and issuance along with \$15 per week (\$3/day) per mobile salon in order for board staff to monitor a mobile salon by phone daily. The board expects to hire a new employee or increase the duties of a staff member in order to monitor the mobile salons. Monitoring the mobile salons will entail tracking their location multiple times a day. The board estimates 5 mobile salon licenses in FY 18, FY 19, and FY 20 which will cost \$30 annually with an initial inspection fee of \$25.

Total costs are expected to be \$4,260 in FY 18, \$8,860 in FY 19, and \$13,460 in FY 20.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The board will generate additional revenue as a result of the proposed rule change.

The threading and blow dry technician licenses will have an annual fee of \$25. In FY 18 the board expects to license 10 new threading permits, in FY 19 the board expects to issue an additional 10 threading permits as well as 10 blow dry licenses, in FY 20 the board expects to issue an additional 10 threading and blow dry licenses.

The mobile salon licenses will have an annual fee of \$30, and an initial inspection fee of \$25. The board expects there to be 5 mobile salons in FY 18, 10 in FY 19, and 20 in FY 20.

Total revenues are expected to be \$525 in FY 18, \$1,175 in FY 19, and \$1,825 in FY 20.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

Individuals and non-governmental will incur costs as a result of the proposed rule change.

Cosmetology schools and students have new reporting requirements, and may be affected by having to submit or fill out additional paperwork, and by collecting more information.

Salon or mobile salon owners will also be required to follow new staffing guidelines. The salon must now employ a registered manager if the owner is out typically more than two days per week. Shampoo assistants in salons must now have completed the required training hours to perform the duties, and if this happens to be a manager or owner he/she may have the ability to train other individuals as well.

In addition, individuals who wish to be employed as a threader or blow dry technician will now have the ability to be licensed, but will be subject to educational costs and fee requirements.

An individual may now own a mobile salon, but will be subject to the associated fees, as well as following all of the guidelines so that the mobile salon will remain compliant.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There should be no effect on competition and employment opportunity in the State. Each year in the cosmetology industry people retire, move to another state or change their field of employment. The number of potential new workers is anticipated to be minimal and will not effect competition.

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