

RUI.ES OF
THE TENNESSEE STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
CHAPTER 0200-01 RULES OF COSMETOLOGY AND BARBER EXAMINERS
BOARD

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Rule 0200-01-.01 is amended by adding new subparagraphs (4)(d) and (4)(e) to read as follows:

0200-01-.01 REQUIREMENTS FOR SCHOOL LICENSE.

- (4) The requirements of the school for enrollment of students are:
- (d) The school must have at least fifteen (15) students enrolled (part-time or full-time) and the school must provide proof of same to the Board in the form of signed student enrollment agreements prior to being granted a barber school license.
 - (e) Full-time barber school students must attend school for at least twenty-five (25) hours per week and part-time barber school students must attend school for at least fifteen (15) hours per week.

Authority: T.C.A. §§62-3-122, 62-3-123, and 62-3-128(a).

Rule 0200-01-.01 is amended by amending paragraphs (1), (2), (3), and (4) to read as follows, and by adding new paragraphs (5)-(12) as follows:

0200-01-.06 EXPIRATION OF CERTIFICATES OF REGISTRATION.

- (1) All certificates of registration for master barbers and barber instructors shall expire biennially on the last day of the month in which the original certificate was granted.
- (2) All certificates of registration for barber shops shall expire biennially on the last day of the month in which the original certificate was granted.
- (3) All certificates of registration for technicians shall expire biennially on the last day of the original month of licensure.
- (4) All certificates of registration for barber schools or colleges shall expire annually on the last date of the month of the original date of licensure. If a barber school or barber college certificate of registration is not renewed within one (1) year from the date of expiration of the license, a new barber school or barber college certificate of registration application will be required.
- (5) A master barber or barber instructor may place his or her certificate of registration into inactive status by completing a form as prescribed by the Board and by submitting that form to the Board prior to the expiration of his or her certificate of registration. A master barber or barber instructor whose certificate of registration is in inactive status may not engage in any conduct for which a certificate of registration is required while his or her certificate of registration is in inactive status.
- (6) When a master barber or barber instructor places his or her certificate of registration into

inactive status, such certificate of registration may only remain in inactive status until the end of the current renewal period. The Board may, at its discretion, waive this requirement for good cause shown and may attach any lawful conditions it deems appropriate to such a waiver.

- (7) A master barber or barber instructor whose certificate of registration is in inactive status may reactivate his or her certificate of registration to active status by completing a form as prescribed by the Board and demonstrating compliance with all applicable requirements for certificate of registration reinstatement.
- (8) An applicant for licensure meeting the requirements of T.C.A. § 4-3-1304(d)(1) may:
 - a. Be issued a license or certificate under Tennessee Code Annotated title 62, chapter 3 upon application and payment of all fees required for issuance of a regular license or certificate of the same type if, in the opinion of the Board, the requirements for certification or licensure of such other state are substantially equivalent to that required in Tennessee; or
 - b. Be issued a temporary permit as described herein if the Board determines that the applicant's license or certificate does not meet the requirements for substantial equivalency, but that the applicant could perform additional acts, including - but not limited to - education, training, or experience, in order to meet the requirements for the license or certificate to be substantially equivalent. The Board may issue a temporary permit upon application and payment of all fees required for issuance of a regular license or certificate of the same type, which shall allow such person to perform services as if fully licensed or certified for a set period of time that is determined to be sufficient for the applicant to complete such requirements.
 - i. After completing those additional requirements and providing the Board with sufficient proof thereof as may be required, a full certificate of registration shall be issued to the applicant with an issuance date of the date of the original issuance of the temporary permit and an expiration date as if the full certificate of registration had been issued at that time.
 - ii. A temporary permit shall be issued for a period of less than the length of a renewal cycle for a full certificate of registration.
 - iii. A temporary permit shall expire upon the date set by the Board and shall not be subject to renewal except through the completion of the requirements for substantial equivalency as required by the Board or by an extension of time granted for good cause by the Board.
 - iv. Should an extension to a temporary permit cause the permit to be in effect longer than the renewal cycle of a full certificate of registration, the holder of the temporary permit shall file a renewal application with such documentation and fees, including completion of continuing education, as are required by the Board for all other renewals of a full certificate of registration of the same type.
- (9) Military education, training or experience completed by a person described in T.C.A. § 4-3-1304 toward the qualifications to receive any certification issued by the Board if such military education, training, or experience is determined by the Board to be substantially equivalent to the education, training, or experience required for the issuance of such certification.
- (10) Any licensee who is a member of the National Guard or a reserve component of the armed forces of the United States called to active duty whose certificate of registration expires during the period of activation shall be eligible for renewal upon the licensee being released from active duty without:
 - a. Payment of late fees or other penalties;
 - b. Obtaining continuing education credits when:

1. Circumstances associated with the person's military duty prevented the obtaining of continuing education credits and a waiver request has been submitted to the Board; or

2. The person performs the licensed or certified occupation as part of such person's military duties and provides documentation sufficient to demonstrate such to the Board, or

c. Performing any other similar act typically required for the renewal of a license or certification.

(11) The license, certification, or permit shall be eligible for renewal pursuant to paragraph (10) for six (6) months from the person's release from active duty.

(12) Any person renewing under paragraph (10) shall provide the Board such supporting documentation evidencing activation as may be required by the Board prior to renewal of any certificate of registration pursuant to that paragraph.

Authority: T.C.A. §§56-1-302(b), 62-3-128, 62-3-129, and 4-3-1304.

Rule 0200-01-.07 is amended by amending subparagraph (1)(d) to read as follows:

0200-01-.07 EQUIPMENT AND LOCATION REQUIREMENTS FOR BARBER SHOPS.

(1) Every barber shop shall be equipped with at least:

(d) One (1) dry sterilizer or sanitary compartment per station;

Authority: T.C.A. §§62-3-113 and 62-3-128.

Rule 0200-01-.10 is amended by adding new paragraph (2) to read as follows:

0200-01-.10 ORIGINAL LICENSE FEE.

(2) Barber shop and barber school applications shall expire within ninety (90) days of the date the application is submitted to the Board if the applicant fails to provide all necessary application documentation and information to the Board. The Board may, in its sole discretion and for good cause shown, waive this requirement upon written request by the applicant.

Authority: T.C.A. §§62-3-113, 62-3-128, and 62-3-129.

* If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Ron R. Gillihan	x				
Nina Coppinger	X				
Bobby Finger				x	
Frank Gambuzza	X				
Yvette Granger				x	
Kelly Barger	X				
Patricia Richmond	X				
Mona Sappenfield	X				
Judy McAllister	X				
Amy Tanksley	X				
Diane Teffeteller	X				
Anita Allen				x	
Ron R. Gillihan	x				
Nina Coppinger	X				

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by The Board of Cosmetology and Barber Examiners on August 20, 2015, and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: (11/03/14)

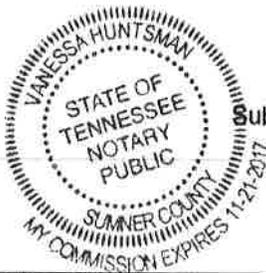
Rulemaking Hearing(s) Conducted on: (add more dates). (01/05/15)

Date: 8/20/15

Signature: Laura E. Martin

Name of Officer: Laura E. Martin

Title of Officer: Assistant General Counsel



Subscribed and sworn to before me on: 08/20/2015

Notary Public Signature: Vanessa Huntsman

My commission expires on: 11/21/2017

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

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 SECRETARY OF REVENUE
 PUBLIC AFFAIRS

Herbert H. Slatyer III
 Herbert H. Slatyer III
 Attorney General and Reporter

8/31/2015
 Date

Department of State Use Only

Filed with the Department of State on: 9/2/15

Effective on: 12/1/15


Tre Hargett
Secretary of State