

S B

2 1 8

Shannon L. Smith
315 Krane, Suite #22
Anchorage, Alaska 99504

March 20, 1985

Labor & Commerce
Chairman Fred Zharoff
Pouch V
Juneau, Alaska 99811

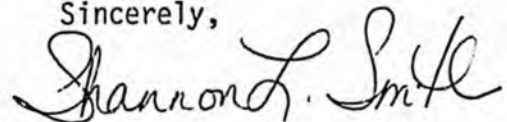
Dear Chairman Zharoff:

I am contacting you to strongly urge your support for the passage of Senate Bill 218, regarding the continuation of the Board of Barbers and Hairdressers in its activities to regulate the field of Cosmetology in the State of Alaska.

As a cosmetologist, I feel the negative effects could be serious if the Board were terminated. Simply completing cosmetology school does not qualify a student to safely practice Hairdressing or Cosmetology. A thorough examination is necessary to test the degree of knowledge and skill gained while in training. It is possible to harm life and limb in some areas of the cosmetology practice if one does not follow necessary regulations and practices of safety and sanitation.

I thank you for your time and consideration regarding this issue.

Sincerely,



Shannon L. Smith

MEMORANDUM

State of Alaska

TO: Harry D. Treager, Director
Division of Occupational Licensing

DATE: February 22, 1984

FILE NO:

TELEPHONE NO:

Pat
FROM: Pat Park-Fisher, Secretary
Division of Occupational Licensing

SUBJECT: Barbers and Hairdressers
Survey Responses

Responses to the June 9, 1983 Board of Barbers, Hairdressers and Cosmetologists Sunset Survey are:

Continue Board	110
Terminate Board	6
Undecided	6
Total	<u>122</u>

Other comments:

1. Concerned about negative results if board is sunsetted.
2. Concerned about lack of controls on field.
3. Exams should be continued.
4. Keep the license.
5. Eliminate AS 08.13.160. License could be issued as:
 - a. Haircutter - would do haircuts and board trims
 - b. Chemical work
 - c. Cosmetology - to do facials and shaving
6. Board needs to be reorganized.
7. Concern about shop sanitation inspections.
8. Terminate the board if functions can be handled by another means.
9. Feels politics interferes with function of board.
10. Concern about infections.
11. Worried about use of chemicals by untrained persons.

Many have been concerned about untrained persons working in the field if the board is terminated. Most seem to think that termination of the board means the end of licensure.

PPF/cw#10G4
22284a

SURVEY RESPONSES

A PERFORMANCE REPORT
ON THE
BOARD OF BARBERS AND HAIRDRESSERS

July 1, 1980 to April 29, 1983

Audit Control Number
08-1114-53-83-R

Commissioner, Department of
Commerce and Economic Development

Richard A. Lyon

Deputy Commissioners, Department of
Commerce and Economic Development

Vincent O'Reilly
Terry Elder

Members of the Board
of Barbers and Hairdressers

President
Member
Member
Member
Member

Maurice Smith
Wilma Raduege
Irene Roberts-Erickson
Marse Kueber
Vacant

STATE OF ALASKA

AUDIT DIVISION
POUCH W
JUNEAU, ALASKA 99811

THE LEGISLATURE

BUDGET AND AUDIT COMMITTEE

April 29, 1983

Members of the
Legislative Budget and Audit Committee:

In accordance with the provisions of Titles 24 and 44 of the Alaska Statutes (sunset), the attached report is submitted for your review.

A PERFORMANCE REPORT
ON THE
BOARD OF BARBERS AND HAIRDRESSERS

July 1, 1980 to April 29, 1983



Gerald L. Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit

TABLE OF CONTENTS

	<u>Page</u>
Purpose and Scope of the Report	1
Organization and Function	3
Report Conclusion	5
Findings and Recommendations.	7
Analysis of Public Need	13
Appendix:	
A. Board of Barbers and Hairdressers, Revenues Compared with Expenditures	17
Agency Response:	
Department of Commerce and Economic Development	19

PURPOSE AND SCOPE OF THE REPORT

PURPOSE

In accordance with the intent of Titles 24 and 44 of the Alaska Statutes (sunset legislation), we have reviewed the activities of the Board of Barbers and Hairdressers for the past three fiscal years. Our examination was conducted to determine if the Board has been operating in an efficient and effective manner.

Legislative intent requires consideration of this report during legislative oversight hearings to determine whether the Board of Barbers and Hairdressers should be reestablished. The law now specifies that the Board will terminate June 30, 1984, and have one year from that date to conclude its affairs.

SCOPE

The major areas of our examination were the licensing, examination, administration, complaint, and affirmative action functions of the Board. We reviewed and evaluated the following:

1. Applicable statutes and regulations.
2. Interviews with the licensing examiners.
3. Tests of files and documents of licensees.
4. Complaints filed with the Division of Occupational Licensing, Human Rights Commission, Equal Employment Opportunity Office, Attorney General's Office, and the Office of the Ombudsman.
5. Discussions with Board members.
6. Minutes of Board meetings and Division correspondence files.
7. Attorney General Opinions applicable to professional boards.
8. Discussions with the United States Food and Drug Administration.

ORGANIZATION AND FUNCTION

The Board of Barbers and Hairdressers was created in 1980. This Board is the result of the Legislature combining the Board of Barbers and the Board of Hairdressing and Beauty Culture Examiners. The membership of the Board consists of two licensed barbers, two licensed hairdressers, and one public member. Each member is appointed by the Governor for a three year term, but can serve no more than two consecutive full terms.

The Board regulates the vocations of barbering, hairdressing, and cosmetology. The Board has been given the authority to examine applicants, issue licenses and permits, suspend or revoke licenses and permits, and investigate complaints. The Board issues the following licenses: beauty or barber schools, school owners, shop owners, instructors, barbers, hairdressers, and cosmetologist practitioners. They also issue temporary and student permits.

The Board is organized under the Department of Commerce and Economic Development, Division of Occupational Licensing (OL). OL provides the Board with licensing and investigative support. The licensing section processes applications, maintains license files, answers inquiries and provides other administrative help to the Board.

REPORT CONCLUSION

Policy Issues

This report contains policy issues raised as a result of our evaluation of Board practices. The final policy decisions affecting these practices are not within the scope of this report but require legislative consideration. In debating these issues, the oversight committee should take into consideration the Findings and Recommendations presented in this report so the potential impact of policy changes can be evaluated.

Report Conclusion

The primary purpose of a regulatory board with a licensing function is to protect the public. The questions that have to be evaluated to determine if licensing is needed are:

1. Does the unlicensed practice pose a serious risk to the consumers' life, health, safety, or economic well-being?
2. Can the potential users be expected to possess the knowledge needed to properly evaluate the qualifications of those offering services?
3. Do the benefits to the public clearly outweigh any potential harmful effects, such as a decrease in the availability of practitioners, higher costs of services, and restriction on optimum utilization of personnel?

During our review to determine if the Board's licensing function is required and meets the previously mentioned criteria, we examined existing complimentary statutes, complaints, and various Board functions. As a result of our examination we found:

1. The Department of Environmental Conservation (DEC) is required by Alaska Statute 44.46.020 to adopt regulations for a standard of cleanliness and sanitation in connection with the construction, operation, and maintenance of barber shops, hairdressing, or cosmetology establishments. DEC has codified regulations to fulfill their statutory responsibility in 18 AAC 30.700-760. These statutes and regulations provide adequate protection for public sanitation.
2. Postsecondary Education, under the Department of Education, issues Certificates of Registration to postsecondary institutions (of which barber and beauty schools are) that meet minimum standards concerning quality of education, ethical and business practices, health and safety, and fiscal responsibility as required by AS- 14.48.010. These statutes provide protection to those students who wish to attend beauty college or barber school.

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Board of Barbers and Hairdressers should be allowed to terminate on June 30, 1984.

The primary purpose of a regulatory board with a licensing function is to protect the public. The questions that have to be evaluated to determine if licensing is needed are:

1. Does the unlicensed practice pose a serious risk to the consumers' life, health, safety, or economic well-being?
2. Can the potential users be expected to possess the knowledge needed to properly evaluate the qualifications of those offering services?
3. Do the benefits to the public clearly outweigh the potential harmful effects, such as a decrease in the availability of practitioners, higher costs of services, and restriction on optimum utilization of personnel?

During our review to determine if the Board's licensing function is required and meets the previously mentioned criteria, we examined existing complimentary statutes, complaints, and various Board functions. As a result of our examination we found:

- A. In two instances after the practical examination was given and grades were calculated, Board members and examination proctors reviewed the grades and changed six individuals' failing grades to passing grades (see Recommendation No. 4).
- B. For the past two and a half years, State examinations have been held exclusively in Anchorage and Fairbanks. Of the last 12 exams, 9 have been in Anchorage and 3 have been in Fairbanks. This presents an economic hardship to those students who wish to take the examination from other parts of the State, because they must pay travel and living expenses for themselves and their model for up to three days.
- C. There have been numerous complaints made to the Division of Occupational Licensing concerning the Board's conduct during the State examination.
- D. The Board issues duplicative and unnecessary licenses which only provide another layer of licensing without providing any additional public protection (see Recommendation No. 2).

The licensing of practitioners could be done by the Division of Occupational Licensing by licensing those individuals who have met predetermined education and experience qualifica-

ing or study are such as may reasonably and adequately achieve the stated objective for which the course or program is offered," and, that "the institution has, or has access to adequate space, equipment, instructional materials, and personnel where applicable to achieve the stated objective of the course or program of study." There is an initial \$100 fee with additional renewal fees for the Certificate of Registration.

B. School Owner - AS 08.135 establishes the fee and 12 AAC 09.120 establishes the requirements for a school owner's license and in summary they are:

1. An initial fee of \$70 with a biennial renewal fee of \$60.
2. The names of all parties having financial interest in the school.
3. A copy of the valid bond filed with the Department of Education.

Again, a business license requires the names of the owners, and the bond is already required to be filed with the Department of Education.

C. Shop Owner - AS 08.13.185 establishes the fee and 12 AAC 09.110 establishes the requirements for a shop owner's license and in summary they are:

1. An initial fee of \$45 with a biennial renewal fee of \$40.
2. The business name, physical location, and addresses of all shops owned.
3. A report of a sanitary health inspection by the Department of Environmental Conservation.
4. The license number of the practitioner employed as a manager of the shop if the owner is not a licensed practitioner.

The Department of Environmental Conservation has independent statutory authority in AS 44.46.020 to adopt regulations for "standard of cleanliness and sanitation in connection with the construction, operation, and maintenance of . . . barber-shops, hairdressing or cosmetology establishments." Again, a business license requires the name and location information. The fourth requirement is unnecessary; there is no additional protection gained from having a licensed practitioner as owner or manager when all the employees have to be licensed practitioners.

D. Instructors - The statutory authority for licensing instructors is construed from AS 08.13.185, which

AS 08.13.030 provides that the Board shall exercise general control over the vocations of barbering, hairdressing, and cosmetology. This cannot be done effectively without clear and concise statutes and regulations. Therefore, the Board should review their statutes and regulations for obsolescence, vagueness, and restrictiveness, and propose appropriate changes where necessary.

Recommendation No. 4

The Board should improve their procedures for the administration of the State examination.

We reviewed the examination function of the Board and noted problems and complaints concerning the Board's administration of the examination, specifically:

- A. The State examination is currently given only in Anchorage and Fairbanks. While we recognize that these locations represent the residence of a large majority of students taking the examination, there remains a high economic cost to students from other parts of the State who have to pay travel and living expenses for themselves and their model for the duration of the examination. We suggest that the Board administer the examination periodically statewide with the possible use of examination proctors.
- B. After two separate examinations, the Board members and proctors met after the practical examination had been completed. They reviewed the score sheets and in six cases, changed failing grades to passing grades. The Division of Occupational Licensing has notified the Board that grades cannot be changed at a post-examination review session.
- C. The Division of Occupational Licensing has received numerous complaints from students concerning Board members' behavior during the practical examination. The complaints included Board members asking students questions such as where they went to school, and not adequately checking the work done by the students. Again, Occupational Licensing sent a letter to the Board addressing these and other problems and offered suggestions for their possible resolution.

According to AS 08.13.030, it is the Board's duty to examine applicants and approve the issuance of licenses and permits to practice. We, therefore, recommend the Board improve their procedures for administering the State examination.

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas we were able to cover during our review.

- I. The extent to which the board, commission or program has operated in the public interest.
 - A. The Board issues licenses to schools, school owners, shop owners, and instructors that are unnecessary (see Recommendation No. 2).
 - B. The Board has only held the State examinations in Fairbanks and Anchorage. Of the last 12 examinations, 9 have been in Anchorage and 3 in Fairbanks. This can cause an economic hardship to individuals from other parts of the State who have to travel to take the examination (see Recommendation No. 4).
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
 - A. The Board is not issuing shop licenses as required by Alaska Statute 08.13.120 (see Recommendation No. 3).
- III. The extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.
 - A. The Board proposed various statutory changes to definitions of a cosmetician, an instructor, and other statutory areas. None of these changes have been submitted to the Legislature from the Executive Branch.
- IV. The extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.
 - A. Board meetings are announced to the public. Comments on regulation changes are solicited by announcement in public newspapers. The Board does not actively solicit comments on its effectiveness.

IX. The extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the recommendations section of this report.

APPENDIX A

BOARD OF BARBERS AND HAIRDRESSERS
REVENUES COMPARED WITH EXPENDITURES
 For the Fiscal Year Ended June 30, 1982

(UNAUDITED)
 (Note 1)

Please refer to the year-end financial statement for details.

Average Revenues (Note 2)	\$75,697
Less: Expenditures (Note 3)	<u>70,713</u>
Excess of Expenditures Over Revenues	<u>\$ 4,984</u>

<u>Revenue Type</u>	<u>Amount</u>	<u>Collection Time</u>
School	\$ 700	With license issuance
School Renewal	400	Biennially
School Owner	70	With license issuance
School Owner Renewal	60	Biennially
Instructor	70	With license issuance
Instructor Renewal	60	Biennially
Shop Owner	45	With license issuance
Shop Owner Renewal	40	Biennially
Barber Practitioner	55	With license renewal
Barber Practitioner Renewal	40	Biennially
Hairdresser Practitioner	55	With license issuance
Hairdresser Practitioner Renewal	40	Biennially
Cosmetology Practitioner	45	With license issuance
Cosmetology Practitioner Renewal	30	Biennially
Temporary Permit	30	With permit issuance
Student Permit	20	With permit issuance
Examination	25	With application
Investigation	25	With application
Delinquent Fee for Late Renewal	20	With application

Note 1

This revenue/expenditure comparison was prepared from available records and discussions with Occupational Licensing personnel. The records were not audited by us and accordingly we do not express an opinion on the Board's Revenues Compared with Expenditures.

Note 2

The majority of the revenues collected are composed of license renewal fees. These fees are collected by most boards once every two or four years and causes revenues in one year to be much greater than the revenues collected in the next year. Therefore, we calculated and reported an average of the revenues collected in Fiscal Years 1981 and 1982 in order to obtain a more accurate representation of revenues collected.

Note 3

Expenditures include those made by board members, such as travel and per diem, and an allocated percentage (estimated) of total administrative expenses of the Division of Occupational Licensing. They do not include expenditures for efforts of other departments (such as the Department of Law) assisting the boards and the Division.

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

POUCH D
JUNEAU, ALASKA 99811
PHONE: 465-2500

OFFICE OF THE COMMISSIONER

August 12, 1983

Mr. Gerald Wilkerson, CPA
Legislative Auditor
Division of Legislative Audit
Legislative Affairs Agency
Pouch W
Juneau, Alaska 99811

Dear Mr. Wilkerson:

Re: Preliminary Audit Report
Board of Barbers and Hairdressers

Thank you for the opportunity to comment on the Preliminary Audit Report of the Board of Barbers and Hairdressers. We have reviewed your recommendations and, based on information you supplied and information in our files, at this time we concur that the Board of Barbers and Hairdressers should be allowed to terminate on June 30, 1984.

Opposition to this position will come from licensed professionals. The consuming public has indicated neither support for continuing nor dissolving the board. Complaints have been made that the board was not acting in the best interests of hairdresser students.

RECOMMENDATION #1

The Board of Barbers and Hairdressers should be allowed to terminate on June 30, 1984.

We would concur. However, we will respond to those individual items your report has listed as A, B, C, and D.

- Item A. We concur. This problem did occur. The division has attempted to correct this type of action by requiring the Licensing Examiner to place the score sheets in a sealed envelope.
- Item B. Your assessment is correct. However, Anchorage and Fairbanks are the only locations where there are schools with sufficient facilities that can accommodate the number of applicants who must be tested.
- Item C. This statement is correct. Complaints have been discussed with the board.
- Item D. Response follows (see Recommendation #2).

Mr. Gerald Wilkerson, CPA

-3-

August 12, 1983

The division is currently polling the licensed professionals as to the attitude toward the existing State examination process. The survey asks if there is a need for State examinations.

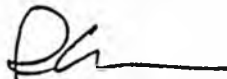
We would encourage schools to assume responsibility of graduating competent, qualified professionals and to set graduation standards to ensure only those meeting professional criteria would receive diplomas or certificates.

Should the survey indicate a desire to eliminate State exams, we would look toward higher requirements in courses and for graduation.

Persons entering the profession by apprenticeship could be required to pass a school examination before licensure.

Again, thank you for the opportunity to respond to your Preliminary Audit Report.

Sincerely,



Richard A. Lyon
Commissioner

RAL/mc5/3
812a

Patrick Rodey
Alaska State Senate
Pouch V
Juneau Alaska 99811

Senator Rodey:

Thank you for your interest and concern on behalf of the State of Alaska Board of Barbers and Hairdressers. Enclosed is a copy of our annual report for fiscal year 1984. Beginning on page 22 is the suggested Statute changes recommended by the Board, on the May 1984 meeting.

Two major areas of difficulty;

I. Abuse of the Student Loan Program
Schools not keeping records current, and not reporting to DOL.
Schools not teaching Curriculum (State Law)

II Unlicensed practioners working in shops

Enforcement is the key factor; The Division of Occupational Licensing, is overworked and under staffed, particularly in the investigation department. This is not intended as criticism of DOL, They have done a good job.

Sec. 08.13.150 should have wordage added;
(a) False information orally or written submitted to DOL or the Board is grounds for refusal of License.

Sec. 08.13.190 does not contain strong enough worage, Suggest a fine to apply equally to the practioner and the Shop Owner that allows the violation to take place

Sincerely


Marse Rueber

Board of Barbers and Hairdressers

BILL SHEFFIELD, GOVERNOR

**DEPARTMENT OF COMMERCE &
ECONOMIC DEVELOPMENT**

POUCH D
JUNEAU, ALASKA 99811
PHONE: (907) 455-2534

DIVISION OF OCCUPATIONAL LICENSING

August 10, 1984

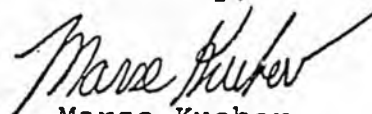
Harry D. Treager, Director
Division of Occupational Licensing
Department of Commerce & Economic
Development
Pouch D
Juneau, Ak. 99811

Dear Mr. Treager:

In compliance with AS 37 and AS 08 and on behalf of the Board of Barbers and Hairdressers, I am submitting the enclosed Annual Report concerning the board's activities and accomplishments for fiscal year 1984.

Should there be any questions concerning this report, please feel free to contact me.

Sincerely,


Marse Kueber
Chairman

Enclosures

INDEX
BOARD OF BARBERS AND HAIRDRESSERS

	PAGE NO.
COVER LETTER-----	1
INDEX-----	2
IDENTIFICATION OF BOARD-----	3
NARRATIVE STATEMENT -----	4
REVIEW OF PRIOR YEAR OBJECTIVES -----	5-6
NEW GOALS AND OBJECTIVES-----	7
SUNSET AUDIT RECOMMENDATIONS-----	8-19
BUDGET RECOMMENDATIONS-----	20
LEGISLATIVE RECOMMENDATIONS-----	21-24
STATISTICAL OVERVIEW-----	25-27

IDENTIFICATION OF BOARD
BOARD OF BARBERS AND HAIRDRESSERS

AS 08.13.010; five (5) member board consisting of two (2) barbers and two (2) hairdressers and one (1) public member for a three year term. Members may not serve more than two consecutive terms. Legislative Confirmation.

MARSE KUEBER (Chairman) (Barber) July 1, 1985
225 N. Wedgewood Manor #21
Fairbanks, Ak. 99701

LETHA B. ASHCRAFT (Hairdresser) July 1, 1986
3609 Richmond Avenue
Anchorage, Ak. 99504

CAROLYN S. JANZEN (Hairdresser) July 1, 1987
SR Box 2586-A
Anchorage, Alaska 99516

IRENE ROBERTS-ERICKSON (Public Member) July 1, 1985
c/o Baranof Hotel
127 N. Franklin Street
Juneau, Alaska 99801

POSITION VACANT (Barber)

STAFF PERSON

WANDA FLEMING, LICENSING EXAMINER
Department of Commerce & Economic Development
Division of Occupational Licensing
Pouch D
Juneau, Alaska 99811

NARRATIVE STATEMENT
BOARD OF BARBERS AND HAIRDRESSERS

During fiscal year '83-84 the board administered five (5) examinations. They were as follows:

August 7-9, 1983 in Anchorage, Alaska
November 13-14, 1983 in Anchorage
January 15-16, 1984 in Anchorage, Alaska
May 5-7, 1984 in Anchorage, Alaska and Fairbanks, Alaska

The fifth examination was given for an instructor license only in Juneau, Alaska on February 5, 1984.

The board held four (4) meetings during the fiscal year '83-84. They were held as follows:

August 9, 1983 in Anchorage, Alaska
November 15, 1983 in Anchorage, Alaska
February 6, 1984 in Juneau, Alaska
May 8, 1984 in Fairbanks, Alaska

During these meetings goals and objectives were completely resolved with one exception being an ongoing need for more work between the Post Secondary Education Commission, the Division of Occupational Licensing and the board. This need will be one of the goals in the next year. In addition, the board covered the complete suggested revision of statute and those recommendations will accompany this report. It would be suggested these statute changes be acted upon by the Legislature during the next session and then the board could make the necessary regulatory changes. This report also contains a reply to the Legislative Audit report.

One of the major board concerns in the upcoming year will be the problems between the schools, the Division of Occupational Licensing and Post Secondary Education Commission. This area has presented almost all of the problems the board has had to deal with. Since large amounts of money are involved in the student loan program, a sense of cooperation is needed between Post Secondary Education Commission and the Division of Occupational Licensing and the board. The board should fulfill the role of expertise on the actual training received by the students.

The board has taken the position that a licensed instructor both in the school and in an apprenticeship situation is of paramount importance for the protection of the student. Instructors polled have indicated unanimously they could not give an impartial examination, so in closing it is recommended that the present structure of administration remain in place.

REVIEW OF PRIOR YEAR OBJECTIVES
BOARD OF BARBERS AND HAIRDRESSERS

The Board of Barbers and Hairdressers has reviewed the FY '84 goals and objectives and found the following progress:

1. Seek legislation to have statute changes to be able to reduce and restrict licensing functions of having dual licensing for shop owners and school owners since the State itself already has this area covered.

Progress: This goal was accomplished at the Board of Barbers and Hairdressers' May 8, 1984 meeting. Statute changes were requested to have the school owner license be retained to include the name of the school with the fee being \$400.00 biannually. Retain shop owner license and fee of \$45.00. If a person is an instructor, he/she needs a practitioner license with the instructor license but would only need to pay a fee of \$75.00 for the total license. The wording on the license should read "Instructor-Practitioner."

2. Review fees required for licensure in more than one category.

Progress: This goal was accomplished at the May 8, 1984 meeting. See above statement in goal number one (1) for comments in regard to the fee changes required.

3. Establish a communication criteria with the Post Secondary Education Commission with the possibility of having the school curriculum coming to the Board of Barbers and Hairdressers. Also, the keeping of a list of loans issued to students and job availability for these students.

Progress: Dr. Paul Gulyas from Post Secondary Education Commission attended the February 6, 1984 meeting in Juneau, Alaska to discuss the procedures and policies of the Post Secondary Education Commission. The board requested that they be able to review the school contracts between the school and the student. Also to make available a list of loans to be given to the Division of Occupational Licensing only during investigations. At the May 8, 1984 meeting, the board requested that at renewal time the schools submit a copy of their curriculum for the board to review.

4. Establish a communication criteria with the Department of Environmental Conservation and the possibility of having the inspections handled by the Board of Barbers and Hairdressers.

Progress: This goal was accomplished at the February 6, 1984 meeting in Juneau, Alaska with Joe Cladouhos of the Department of Environmental Conservation attending. Inspections are to remain with the Department of Environmental Conservation.

REVIEW OF PRIOR YEAR OBJECTIVES (cont'd)
BOARD OF BARBERS AND HAIRDRESSERS

5. Meet with the Legislature in regard to the board sunset review and to request more help for the division and more money appropriated.

Progress: The board attended the Senate Labor and Commerce hearing in Juneau, Alaska during March 1984. Also, three (3) teleconferences were held with the House Labor and Commerce Committee during March 1984 and April 1984.

6. Review of the practical examination of both Barbers and Hairdressers. Also to review the written examination with the possibility of having the hairdresser a State exam so that scores can be received quicker and licenses issued to the student if passed.

Progress: A review of the practical Hairdresser examination was held during the May 8, 1984 meeting in Fairbanks, Alaska. Changes were made to the scores, instructions sent to the students, and the instruction cards for the examination. The board felt that they should stay with the National written examination as now the scores are received in the Juneau office within two weeks, as before they were being received in a 7-10 week period of time.

The Barber examination review was not accomplished and this will be a goal for next year.

7. Changing the regulation regarding monthly reports being sent in to be changed to being sent in quarterly since there are problems with the hours.

Progress: At the May 8, 1984 meeting in Fairbanks, Alaska the board resolved to submit regulation changes to reflect that monthly reports be submitted to the Division of Occupational Licensing quarterly and when the student has completed 1,600 hours that an audit be completed on the student's file determining the number of hours received.

NEW GOALS AND OBJECTIVES
BOARD OF BARBERS AND HAIRDRESSERS

The Board of Barbers and Hairdressers has proposed the following goals and objectives for FY '85.

1. Submit statutory changes desired by the board to:
 - a. House and Senate
 - b. Governor's Office
 - c. Department of Commerce & Economic Development
Division of Occupational Licensing
2. Submit new testing procedures, scores, and instructions to Barber applicants for the Barber examination. This would include the adding of chemical work to the Practical and Written Barber examinations.
3. Submit testing procedures for Manicurist.
4. Implement the proctor system for examinations.
5. Establish retake of both written and practical testing using the proctor system. This to be done within thirty (30) days of original test and is for retake only.
6. Review regulatory changes to comply with the statutory changes.
7. Establish a closer working relationship between board members and Division of Occupational Licensing Investigative Section, with the possibility of the board doing more to check on schools and apprentice situations to insure that students are getting a competent education.
8. Affix statutes to insure that a minimum of one (1) hour of theory is taught every morning prior to the school putting students on the floor for practical work on the public.
9. Include questions of State law on the written portion of the Barber, Hairdresser, Cosmetologist, and Instructor examinations.

SUNSET AUDIT RECOMMENDATIONS
BOARD OF BARBERS AND HAIRDRESSERS

The Board of Barbers and Hairdressers have reviewed the attached July 1, 1980 - April 23, 1983 Performance Report done by Legislative Audit and has commented on the recommendations as follows:

RECOMMENDATION NO. 1

1. The Board of Barbers and Hairdressers feels that the unlicensed practice poses a serious risk to the consumers' life, health, safety or economic well-being.
2. No, the potential users cannot be expected to possess the knowledge needed to properly evaluate the qualifications of those offering services.
3. Benefit to the public is, well-qualified practitioners which only an impartial examination can provide. Board policies in no way affect the number of qualified practitioners. Also the board in no way affects the cost of services, this can be illustrated best by the wide range of prices charged. Shop managers establish prices.
 - A. This was caused by improper training of proctors and was corrected for the sake of fairness to the student.
 - B. Anchorage and Fairbanks have been used as examination sites because this is where the majority of students reside. The proctor system will cut students' costs even more.
 - C. Board's conduct in the past year has reduced complaints.
 - D. This recommendation has been reviewed and corrected.

An impartial examination is needed to insure:

- A. The school is indeed giving the student the proper education.
- B. The student is making a real effort to enter the job market.

Qualification by the school of apprenticeship guarantees nothing. Certification and licensure are essentially the same, and there is already nonlicensed work being done illegally. Recommendation number one (1) clearly indicates Legislative Audit Committee does not have any insight as to the total area of responsibility the board has to the (1) public, (2) school, (3) student, and (4) the practitioners. The board's recommendation is that Legislative Audit speak with the board members.

SUNSET AUDIT RECOMMENDATIONS (cont'd)
BOARD OF BARBERS AND HAIRDRESSERS

RECOMMENDATION NUMBER 2

- A(2) The board wishes to eliminate this fee.
- B(3) This requirement has been ruled unnecessary. All references to business license has nothing to do with board activity and should not be considered in this audit.
- C. The board feels these requirements are necessary to insure adequate protection of the public. Benefits to the public are trained practitioners.
- D. Licensing of Instructors by the board is the only way to insure that students receive proper training. Alaska Statute 14.48.060 is so vague, it is of no value whatever.

RECOMMENDATION NUMBER 3

The board has reviewed all existing statutes and made the necessary suggested changes:

- A. Instructors must be licensed.
- B. Shops must be licensed.
- C. The department must have someone in a shop to insure that all license and sanitation requirements are upheld.

RECOMMENDATION NUMBER 4

- A. This has been corrected as much as is possible given the budget we have to work with. It should be noted that high economic cost prevails throughout any system of education at the Post Secondary or college level.
- B. Has been corrected.
- C. Conduct of the board has been greatly improved, and will continue to improve as long as I am chairman.

SUNSET AUDIT RECOMMENDATIONS (cont'd)
BOARD OF BARBERS AND HAIRDRESSERS

ANALYSIS OF PUBLIC NEED

- I A. Licenses are necessary.
- I B. Corrected to reduce travel by students by using the proctor system.
- II A. Suggest all shop owners be recontacted to insure shop licenses be in place.
- III A. This has been done.
- IV A. This has been corrected by a board member making self available after all examinations are completed. This should be continued.
- VII A. Already covered.
- VIII A. See no need for photographs.

APPENDIX A

These unaudited figures need to be done completely and correct breakdown of expenditures of all departments including the board. As they are now, an up-to-date figure on revenues would reflect a totally different figure, in excess of \$125,000. The board believes it would prevent problems caused by some board members if these complete figures would be made available to them.

Legislative Audit Committee should be advised that unaudited figures should not be part of an audit report.

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1

The Board of Barbers and Hairdressers should be allowed to terminate on June 30, 1984.

The primary purpose of a regulatory board with a licensing function is to protect the public. The questions that have to be evaluated to determine if licensing is needed are:

1. Does the unlicensed practice pose a serious risk to the consumers' life, health, safety, or economic well-being?
2. Can the potential users be expected to possess the knowledge needed to properly evaluate the qualifications of those offering services?
3. Do the benefits to the public clearly outweigh the potential harmful effects, such as a decrease in the availability of practitioners, higher costs of services, and restriction on optimum utilization of personnel?

During our review to determine if the Board's licensing function is required and meets the previously mentioned criteria, we examined existing complimentary statutes, complaints, and various Board functions. As a result of our examination we found:

- A. In two instances after the practical examination was given and grades were calculated, Board members and examination proctors reviewed the grades and changed six individuals' failing grades to passing grades (see Recommendation No. 4).
- B. For the past two and a half years, State examinations have been held exclusively in Anchorage and Fairbanks. Of the last 12 exams, 9 have been in Anchorage and 3 have been in Fairbanks. This presents an economic hardship to those students who wish to take the examination from other parts of the State, because they must pay travel and living expenses for themselves and their model for up to three days.
- C. There have been numerous complaints made to the Division of Occupational Licensing concerning the Board's conduct during the State examination.
- D. The Board issues duplicative and unnecessary licenses which only provide another layer of licensing without providing any additional public protection (see Recommendation No. 2).

The licensing of practitioners could be done by the Division of Occupational Licensing by licensing those individuals who have met predetermined education and experience qualifica-

tions. These qualifications could be obtained from either schooling or apprenticeship at the hourly requirement already established in the regulations.

An alternative to the licensing of practitioners would be certification. Certification grants recognition to individuals who have met predetermined qualifications. Only those who have met these qualifications may legally use the designated title, however, noncertified individuals may offer similar services to the public as long as they do not describe themselves as being certified. This would assist the public in identifying competent practitioners.

Because the public can be adequately protected through either licensing or certifying practitioners, we recommend that the Board of Barbers and Hairdressers be allowed to terminate on June 30, 1984.

However, in the event that the Board is reestablished we recommend the following changes be made in their operations.

Recommendation No. 2

The Board should seek legislation that would reduce and restrict its various licensing functions.

The Board, in addition to testing individual practitioners to determine their minimum qualifications for licensure, also issues four other categories of licenses. These other categories are schools, school owners, shop owners, and instructors. Each of these additional categories represent an extra unnecessary layer of licensing, specifically:

- A. Schools - AS 08.13.185 establishes the fee and 12 AAC-09.125 establishes the requirements for school licenses and in summary they are:
 1. An initial fee of \$700 and biennial renewal fee of \$400.
 2. A Certificate of Registration issued by the Department of Education.
 3. The name of the school owner.
 4. The location of the school with an exact description of the floor plan that meets the Board's specifications.

In addition to the license issued by the Board, a school has to obtain a business license issued by the Department of Revenue which also requires the owner's name, school location, and a \$25.00 fee. In order to obtain a Certificate of Registration from the Department of Education, the school has to meet the minimum standards set out in AS 14.48.060. Among these are, the school can operate so that "the quality and content of each course or program of instruction, train-

ing or study are such as may reasonably and adequately achieve the stated objective for which the course or program is offered," and, that "the institution has, or has access to adequate space, equipment, instructional materials, and personnel where applicable to achieve the stated objective of the course or program of study." There is an initial \$100- fee with additional renewal fees for the Certificate of Registration.

B. School Owner - AS 08.135 establishes the fee and 12-AAC 09.120 establishes the requirements for a school owner's license and in summary they are:

1. An initial fee of \$70 with a biennial renewal fee of \$60.
2. The names of all parties having financial interest in the school.
3. A copy of the valid bond filed with the Department of Education.

Again, a business license requires the names of the owners, and the bond is already required to be filed with the Department of Education.

C. Shop Owner - AS 08.13.185 establishes the fee and 12 AAC 09.110 establishes the requirements for a shop owner's license and in summary they are:

1. An initial fee of \$45 with a biennial renewal fee of \$40.
2. The business name, physical location, and addresses of all shops owned.
3. A report of a sanitary health inspection by the Department of Environmental Conservation.
4. The license number of the practitioner employed as a manager of the shop if the owner is not a licensed practitioner.

The Department of Environmental Conservation has independent statutory authority in AS 44.46.020 to adopt regulations for "standard of cleanliness and sanitation in connection with the construction, operation, and maintenance of . . . barber-shops, hairdressing or cosmetology establishments." Again, a business license requires the name and location information. The fourth requirement is unnecessary; there is no additional protection gained from having a licensed practitioner as owner or manager when all the employees have to be licensed practitioners.

D. Instructors - The statutory authority for licensing instructors is construed from AS 08.13.185, which

establishes an instructor's license fee of \$70 and a \$60 biennial renewal fee. Using that as authority, the Board adopted regulations for licensing of instructors. The licensing requirements established in the regulation are summarized as follows:

1. A current practitioner's license.
2. Three years of practice or one year of practice and six-hundred hours of student instructor training.
3. Passing the written and practical portions of the instructor's examination given by the Board.

The licensing of these instructors is not necessary since the third minimum standard required by the Department of Education for their Certificate of Registration in AS 14.48-.060 is that "the education or experience qualifications of directors, administrators, supervisors, and instructors are such as may reasonably insure that the students will receive education consistent with the objectives of the course or program of study."

As we have seen, each of the four categories represent an unnecessary and duplicative licensing function.

The Board tests each individual to determine if they have the minimum qualifications to practice all phases of their profession. Therefore, the additional categories of licensing provide no additional public protection.

Recommendation No. 3

The Board should review existing statutes and regulations and seek appropriate revision where necessary.

During our examination, we reviewed the Board's statutes and regulations to determine if any were obsolete, vague, or unduly restrictive. Examples of what we found are as follows:

- A. The Board has promulgated considerable regulations for the licensing of instructors when the only statutory authority to issue instructors' licenses is implied by AS 08.13.185 which defines license fees.
- B. AS 08.13.120 authorizes and 12 AAC 09.110(b) provides the criteria for the licensing of shops, however, the Board does not license shops.
- C. AS 08.13.120 also requires that either the shop owner be a licensed practitioner, or employ a licensed practitioner as the manager. Since all practitioners in the shop must be licensed, that requirement is not necessary.

AS 08.13.030 provides that the Board shall exercise general control over the vocations of barbering, hairdressing, and cosmetology. This cannot be done effectively without clear and concise statutes and regulations. Therefore, the Board should review their statutes and regulations for obsolescence, vagueness, and restrictiveness, and propose appropriate changes where necessary.

Recommendation No. 4

The Board should improve their procedures for the administration of the State examination.

We reviewed the examination function of the Board and noted problems and complaints concerning the Board's administration of the examination, specifically:

- A. The State examination is currently given only in Anchorage and Fairbanks. While we recognize that these locations represent the residence of a large majority of students taking the examination, there remains a high economic cost to students from other parts of the State who have to pay travel and living expenses for themselves and their model for the duration of the examination. We suggest that the Board administer the examination periodically statewide with the possible use of examination proctors.
- B. After two separate examinations, the Board members and proctors met after the practical examination had been completed. They reviewed the score sheets and in six cases, changed failing grades to passing grades. The Division of Occupational Licensing has notified the Board that grades cannot be changed at a post-examination review session.
- C. The Division of Occupational Licensing has received numerous complaints from students concerning Board members' behavior during the practical examination. The complaints included Board members asking students questions such as where they went to school, and not adequately checking the work done by the students. Again, Occupational Licensing sent a letter to the Board addressing these and other problems and offered suggestions for their possible resolution.

According to AS 08.13.030, it is the Board's duty to examine applicants and approve the issuance of licenses and permits to practice. We, therefore, recommend the Board improve their procedures for administering the State examination.

ANALYSIS OF PUBLIC NEED

Limited Analysis

The following analyses indicate both positive and negative factors as they relate to the public need as defined in the "sunset" law. These analyses are not intended to be comprehensive, but to address those areas we were able to cover during our review.

- I. The extent to which the board, commission or program has operated in the public interest.
 - A. The Board issues licenses to schools, school owners, shop owners, and instructors that are unnecessary (see Recommendation No. 2).
 - B. The Board has only held the State examinations in Fairbanks and Anchorage. Of the last 12 examinations, 9 have been in Anchorage and 3 in Fairbanks. This can cause an economic hardship to individuals from other parts of the State who have to travel to take the examination (see Recommendation No. 4).
- II. The extent to which the operation of the board, commission, or agency program has been impeded or enhanced by existing statutes, procedures, and practices which it has adopted, and any other matter, including budgetary, resource, and personnel matters.
 - A. The Board is not issuing shop licenses as required by Alaska Statute 08.13.120 (see Recommendation No. 3).
- III. The extent to which the board, commission or agency has recommended statutory changes which are generally of benefit to the public interest.
 - A. The Board proposed various statutory changes to definitions of a cosmetician, an instructor, and other statutory areas. None of these changes have been submitted to the Legislature from the Executive Branch.
- IV. The extent to which the board, commission or agency has encouraged interested persons to report to it concerning the effect of its regulations and decisions on the effectiveness of service, economy of service, and availability of service which it has provided.
 - A. Board meetings are announced to the public. Comments on regulation changes are solicited by announcement in public newspapers. The Board does not actively solicit comments on its effectiveness.

V. The extent to which the board, commission or agency has encouraged public participation in the making of its regulations and decisions.

A. The Board has published notices of its meetings in Anchorage, Fairbanks, and Juneau. However, such notices have not always been published in a consistent and timely manner as required by statute.

VI. The efficiency with which public inquiries or complaints regarding the activities of the board, commission or agency filed with it, with the department to which a board, or commission is administratively assigned, or with the office of the ombudsman have been processed and resolved.

A. During our review, we found the average case length for complaints and investigations filed with the Office of the Ombudsman to be approximately 1 month; with the Division of Occupational Licensing, approximately 7 months, and; with the Attorney General's Office, Consumer Protection Agency was approximately 1 month.

VII. The extent to which a board or commission which regulates entry into an occupation or profession has presented qualified applicants to serve the public.

A. In two instances after the practical examination was completed and the final grades were calculated, the Board members and examination proctors reviewed the grades and changed six individuals' grades in various sections of the examination from failing to passing (see Recommendation Nos. 1 and 4).

B. According to the Division of Occupational Licensing's records for the Fiscal Year 1982, there were a total of 464 new licenses issued. Of these new licenses, 181 were issued by credentials.

VIII. The extent to which state personnel practices, including affirmative action requirements, have been complied with by the board, commission or agency to its own activities and the area of activity or interest.

A. Applications for licensure as a practitioner require information and photographs which the Division of Equal Employment Opportunity (EEO) believes may not be necessary to determine the qualifications of the applicant.

IX. The extent to which statutory, regulatory, budgeting or other changes are necessary to enable the agency, board or commission to better serve the interests of the public and to comply with the factors enumerated in this subsection.

Please refer to the recommendations section of this report.

APPENDIX A

BOARD OF BARBERS AND HAIRDRESSERS
REVENUES COMPARED WITH EXPENDITURES
 For the Fiscal Year Ended June 30, 1982

(UNAUDITED)
 (Note 1)

Average Revenues (Note 2)	\$75,697
Less: Expenditures (Note 3)	<u>70,713</u>
Excess of Expenditures Over Revenues	<u>\$ 4,984</u>

<u>Revenue Type</u>	<u>Amount</u>	<u>Collection Time</u>
School	\$ 700	With license issuance.
School Renewal	400	Biennially
School Owner	70	With license issuance
School Owner Renewal	60	Biennially
Instructor	70	With license issuance
Instructor Renewal	60	Biennially
Shop Owner	45	With license issuance
Shop Owner Renewal	40	Biennially
Barber Practitioner	55	With license renewal
Barber Practitioner Renewal	40	Biennially
Hairdresser Practitioner	55	With license issuance
Hairdresser Practitioner Renewal	40	Biennially
Cosmetology Practitioner	45	With license issuance
Cosmetology Practitioner Renewal	30	Biennially
Temporary Permit	30	With permit issuance
Student Permit	20	With permit issuance
Examination	25	With application
Investigation	25	With application
Delinquent Fee for Late Renewal	20	With application

Note 1

This revenue/expenditure comparison was prepared from available records and discussions with Occupational Licensing personnel. The records were not audited by us and accordingly we do not express an opinion on the Board's Revenues Compared with Expenditures.

Note 2

The majority of the revenues collected are composed of license renewal fees. These fees are collected by most boards once every two or four years and causes revenues in one year to be much greater than the revenues collected in the next year. Therefore, we calculated and reported an average of the revenues collected in Fiscal Years 1981 and 1982 in order to obtain a more accurate representation of revenues collected.

Note 3

Expenditures include those made by board members, such as travel and per diem, and an allocated percentage (estimated) of total administrative expenses of the Division of Occupational Licensing. They do not include expenditures for efforts of other departments (such as the Department of Law) assisting the boards and the Division.

BUDGET RECOMMENDATIONS
BOARD OF BARBERS AND HAIRDRESSERS

The Board of Barbers and Hairdressers request the following funding for FY '86:

EXAMINATIONS: Four (4) per year using the proctor system. With examinations being held in Anchorage and Fairbanks consisting of two-day examinations

ANCHORAGE EXAM	<u>TRAVEL</u>	<u>PER DIEM</u>
One (1) Board Member	-0-	\$640.00
Two (2) Proctors	-0-	280.00*

*This charge comes out of the contractual services.

FAIRBANKS EXAM

One (1) Board Member	-0-	720.00
Two (2) Proctors	-0-	280.00*

*This charge comes out of the contractual services.

TOTAL FOR EXAMINATIONS		\$1,360.00
------------------------	--	------------

MEETING: One (1) two-day meeting not to be held during an examination. To be held in Anchorage, Alaska Figures based upon full board.

Two (2) Anchorage Board Members	No Charge	\$320.00
Two (2) Juneau Board Member	\$704.00	320.00
One (1) Fairbanks Board Member	212.0	160.00
Licensing Examiner	352.00	160.00

TOTAL FOR MEETING		<u>\$2,228.00</u>
-------------------	--	-------------------

GRAND TOTAL FOR TRAVEL AND PER DIEM		\$3,588.00
-------------------------------------	--	------------

ROOM RENTAL (From Contractual Services)

Anchorage Exam (4) Hairdressers	\$2,000.00
Anchorage Exam (4) Barbers	600.00
Fairbanks Exam (4) Hairdressers and Barber	600.00

EXAMINATION COST FOR WRITTEN

Based upon contract of \$750.00 plus 10% increase	825.00
---	--------

LEGISLATIVE RECOMMENDATIONS
BOARD OF BARBERS AND HAIRDRESSERS

The Board of Barbers and Hairdressers request that the attached statute changes to AS 08.13 discussed at the May 8, 1984 meeting in Fairbanks, Alaska be introduced.

The Board of Barbers and Hairdressers also request statute change and regulation change reflecting that Barbers must obtain 2000 hours and also that they will be allowed to do chemical work.

The Board of Barbers and Hairdressers request that contracts between school and the student should not allow more than five (5) days consecutive absences without a medical reason.

- A. If this does occur, Department of Commerce and Economic Development, Division of Occupational Licensing shall be notified with a copy going to Postsecondary Education Commission.
- B. Any absences from school of more than ten (10) days shall result in termination of student and Department of Commerce and Economic Development, Division of Occupational Licensing and Postsecondary Education Commission being notified.

STATISTICAL OVERVIEW
BOARD OF BARBERS AND HAIRDRESSERS

All licenses expire on June 30, 1985. Barber, Hairdresser, Cosmetologist and instructor licenses are issued by examination and credential. Shop owner, school and school owner licenses are issued by credential with an inspection report being included.

NEW LICENSES ISSUED FOR FY '84

BARBERS	41
COSMETOLOGIST	8
HAIRDRESSER	63
HAIRDRESSER & COSMETOLOGIST	210
INSTRUCTORS	1
SHOP OWNER	56
SCHOOL OWNER	1
SCHOOL	1

TOTAL NEW LICENSES 381

NUMBER OF LICENSEES BY EXAMINATION 131

TOTAL NUMBER OF CURRENT LICENSEES

BARBERS	341
COSMETOLOGIST	152
HAIRDRESSER	1,196
HAIRDRESSER & COSMETOLOGIST	547
INSTRUCTORS	68
SHOP OWNER	275
SCHOOL OWNER	8
SCHOOL	8

TOTAL CURRENT LICENSE 2,595

TOTAL NUMBER OF LAPSED LICENSEES

This includes all categories 2,385

MEETINGS HELD DURING FY '84

August 9, 1983 in Anchorage, Alaska
November 15, 1983 in Anchorage, Alaska
February 6, 1984 in Juneau, Alaska
May 8, 1984 in Fairbanks, Alaska

STATISTICAL OVERVIEW (cont'd)
BOARD OF BARBERS AND HAIRDRESSERS

EXAMINATIONS HELD DURING FY '84

August 7-9, 1983 in Anchorage, Alaska
November 13-14, 1983 in Anchorage, Alaska
January 15-16, 1984 in Anchorage, Alaska
February 5, 1984 in Juneau, Alaska*
May 5-7, 1984 in Anchorage and Fairbanks, Alaska

*Only the instructor examination was given in Juneau, Alaska.

	<u>PASSED</u>	<u>FAILED</u>
BARBER PRACTICAL	16	1
BARBER WRITTEN	17	0
BARBER INSTRUCTOR PRACTICAL	1	1
BARBER INSTRUCTOR WRITTEN	2	0
HAIRDRESSER INSTRUCTOR PRACTICAL	5	13
HAIRDRESSER INSTRUCTOR WRITTEN	13	1
HAIRDRESSER-COSMETOLOGY PRACTICAL		
PERM	131	5
TINT	124	9
BLEACH TOUCH-UP	128	0
HAIRCUT	129	5
HAIRSTYLE	125	12
COSMETOLOGY	141	3
WRITTEN	128	49

TELECONFERENCES HELD DURING FY '84

February 1984 regarding the February Instructor exam.

HEARINGS HELD DURING FY '84

None were held

STATISTICAL OVERVIEW (cont'd)
BOARD OF BARBERS AND HAIRDRESSERS

INVESTIGATIONS FOR FY '84

Investigations Opened	24
Investigations Closed	13
Litigation Opened	7

EXPENDITURES

Board Authorization for FY '84		\$10,100.00
Board Travel for FY '84	\$5,196.00	
Board Per Diem for FY '84	5,780.00	
Licensing Examiner Travel for FY '84	1,014.40	
Licensing Examiner Per Diem for FY '84	<u>900.00</u>	
TOTAL EXPENDITURES	\$12,890.40	(-\$2,790.40)
CONTRACTUAL SERVICES FOR FY '84	\$8,579.51	
REVENUES RECEIVED FOR FY '84	\$86,759.00	



Official Business

Alaska State Legislature

Senate

Committee on Labor & Commerce

Pouch V
State Capitol
Juneau, Alaska 99811

SB 218: Sectional Analysis:

- Section 1) Deletes the reference to "hairdressers" and inserts cosmetologists.
- Section 2) Deletes the reference to "hairdressers", inserts cosmetologists, and extends the board until June 30, 1989.
- Section 3) Deletes reference to "hairdressers", inserts cosmetologists.
- Section 4) Deletes references to "hairdressers", authorizes the issuance of licenses for schools of cosmetology and esthetics as well as well as investigation into written complaints about the practice of cosmetology and esthetics.
- Section 5) Requires the Board to offer examinations 4 times a year in Anchorage, and also requires the Board to offer exams in cities other than Anchorage if there are at least 5 applicants.
- Section 6) Designates DCED the responsibility for keeping records of the Board's proceedings.
- Section 7) Makes changes to licensing requirements, and requires that a person may no longer practice outside of a shop or a school, except in communities with fewer than 1,000 people.
- Provides that an instructor must be licensed as an instructor to teach in a school, and that a practitioner who wishes to supervise an apprentice must also obtain an instructors license.
- Section 8) Requires applicants for licensing to apply on a form provided by the Department and provide an autographed photo to the Board. Paragraph (5) indicates qualifications for an instructors permit.
- Section 9) Increases the hours required for an apprenticeship in barbering and changes the time frames in which an apprenticeship must be completed. Deletes the requirement that apprenticeships be served in a shop approved by the board. Also changes the period within which an esthetician apprenticeship must be

served. Requires that the first 1000 hours of an apprenticeship in barbering and cosmetology be served in a school and the second 1000 hours be served under supervision of a licensed instructor.

- Section 10) Permits the board to delegate examination power to a proctor.
- Section 11) Permits the board to regulate the practice of manicure pedicure. Clarifies that an out of state applicant who has passed an exam in another licensing jurisdiction is not required to take the state test if the applicant meets the minimum requirements of the state.
- Section 12) Deletes reference to hairdressing and cosmetology and inserts cosmetology and esthetics.
- Section 13) Clarifies the requirements for display of licenses and makes changes referenced in section 7 concerning practice outside of shops and schools.
- Section 14) Deletes references to shampoo person because the bill repeals the definition of shampoo person. Section also provides that this chapter does not apply to a health care professional.
- Section 15) Requires a temporary instructor to obtain a temporary instructor's permit.
- Section 16) Amends section on student permits to reflect changes to the apprenticeship system. Apprentices are required to be supervised by licensed instructors but the shops they practice in do not have to be approved by the board.
- Section 17) Requires that a person applying for a student permit be at least 16, have graduated from high school or have a GED.
- Section 18) Amends the fee section to allow the department to set fees with the concurrence of the board in amounts that reflect the cost of the regulated activity.
- Section 19) Section pertains to failure to possess a license or permit and makes technical changes to include cosmetologists and estheticians.
- Section 20) Adds provision for civil penalties.
- Section 21) Technical change
- Section 22) Definitions section
- Section 23) Duties of the department
- Section 24) Deletes "hairdresser" and inserts cosmetologist
- Section 25) Immediate effective date

Statutes relating to SB 218

AS08.13.180

HEADINGS TITLE 8
Business and Professions
CHAPTER 13.
Barbers and Hairdressers.
ARTICLE 2.
Examination and Licensing

CITATION Sec. 08.13.180
CATCH LINE

TEXT STUDENT PERMITS.
A person attending a licensed school of barbering, hairdressing, or cosmetology, and a person apprenticed to a practitioner in a shop approved by the board shall obtain a student permit. A student permit to practice barbering or hairdressing is valid for two years. A student permit to practice cosmetology is valid for one year. A student permit may not be renewed, but, upon application, the board may issue a new permit to the same person, or extend an expired permit to the date of the next scheduled examination. Credit earned under an expired student permit may be transferred to a new permit as determined by the board.

HISTORY (Sec. 1 ch 159 SLA 1980)

CITATION Sec. 08.13.185.
CATCH LINE

TEXT FEES.
The following fees are imposed under this chapter: AS

(1) schools:	
initial two-year license fee	\$700
biennial renewal	400
(2) school owner:	
initial two-year license fee	\$ 70
biennial renewal	60
(3) instructor:	
initial two-year license fee	\$ 70
biennial renewal	60
(4) shop owner:	
initial two-year license fee	\$ 45
biennial renewal	40
(5) practitioner of barbering:	
initial two-year license fee	\$ 55
biennial renewal	40
(6) practitioner of hairdressing:	
initial two-year license fee	\$ 55

biennial renewal	40	
(7) practitioner of cosmetology:		
initial two-year license fee	\$ 45	
biennial renewal	30	
(8) temporary permit		\$ 30
(9) student permit		\$ 20
(10) examination fee		\$ 25
(11) investigation fee		\$ 25
(12) delinquent fee for late renewal		\$ 20

HISTORY (Sec. 1 ch 159 SLA, 1980)

12 AAC 09.115. VERIFICATIONS. Verification of licensed work experience or training of an applicant as required in 12 AAC 09.080-12 AAC 09.105, shall be certified or notarized documentation supplied to the board by:

- (1) another jurisdiction's licensing board;
- (2) a licensed school or shop;
- (3) a licensed instructor; or
- (4) a licensed hairdresser-cosmetologist or barber who sponsored an apprentice and maintained the required records. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)

ARTICLE 5
BARBER, HAIRDRESSING AND COSMETOLOGY SCHOOL

Section

- 120. School Owner License
- 125. Requirements for school license
- 130. School records
- 135. Transfer of hours and reenrollment
- 140. Instructor student ratio
- 145. Equipment for barber schools
- 150. Barber school curriculum
- 155. Equipment for hairdressing and cosmetology schools
- 160. Curricula for hairdressing and cosmetology schools
- 165. Student instructor curricula
- 170. Theory syllabus and criteria for grading of examinations
- 175. Sanitation

12 AAC 08.120. SCHOOL OWNER LICENSE. (a) Any person, association, firm or corporation proposing to open a school of barbering, hairdressing or cosmetology, shall make application to the board for a school owner license on a form provided by the department with:

- (1) a check or money order in the amount specified in AS 08.13.185(2);

- (2) names of all parties having a financial interest in the school; and

(3) a certified or notarized copy of a valid bond, for the school, filed with the Alaska Department of Education.

(b) In the event of a sale, lease or transfer of ownership of any school, the seller, lessor or transferor shall notify the board in writing of the transaction within 30 days of the sale, lease or transfer. The notice must contain the name and address of the buyer, lessee or transferee. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(2) and (c)(3)
AS 08.13.110

12 AAC 09.125. REQUIREMENTS FOR SCHOOL LICENSE. (a) Any person, association, firm or corporation proposing to open a school of barbering, hairdressing or cosmetology shall make application to the board for inspection and approval of the school premises by at least one board member. Application must be made on a form provided by the department with:

- (1) a check or money order in the amount specified in AS 08.13.185(1);

(2) a current and valid certificate of registration for the school issued by the Alaska Department of Education;

- (3) name of school owner; and

(4) an exact description of the floor plan and location of the school.

(b) In order to be approved by the board, a school shall provide at least 15 square feet of instructional area per student. Minimum required instructional areas are:

- (1) one classroom for theoretical instruction;
- (2) one practical operation instructional area with student stations arranged to facilitate work to be performed; and

(3) one dispensary with at least one sink with hot and cold water.

(c) For the purpose of determining minimum instructional areas, noninstructional areas of a school are lavatories, closets, hallways, reception areas, offices, stock room and other similar rooms or structures. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(2)
and (c)(3)
AS 08.13.110

12 AAC 09.130. SCHOOL RECORDS. (a) A school owner must register each student with the board and include the student's name, address and date of commencement of instruction within 30 days after the date of a student's enrollment in the school.

(b) A school owner must notify the board in writing of the date of a student's termination of instruction within 30 days after the date of termination.

(c) A school owner must provide at least one time clock for the recording of student attendance and maintain daily records of student attendance, number of hours of instructional coursework, and number of practical operations of each student enrolled in the school.

(d) A school shall submit a report to the board on a form provided by the board, verifying hours of training received by each student enrolled in the school within 30 days after the date of

(1) each student's successful completion of a course of instruction; or

(2) each student's termination of a course of instruction.

(e) A school may not credit a student for more than 8 hours of training in any one day.

(f) A school owner shall provide a certificate, diploma, or other affidavit of completion of a course to each student successfully completing a course of instruction.

(g) All records required to be maintained by a school under this must be maintained in an orderly, alphabetical or numerical filing system, and must be made available for inspection by any member of the board during hours the school is open for instruction. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)
AS 08.13.110

12 AAC 08.135. TRANSFER OF HOURS AND REENROLLMENT. (a) A school shall accept credit hours of instruction and training of a student transferring from another licensed school in Alaska, or in another licensing jurisdiction, upon presentation of a certified or notarized copy of the records maintained by the board or by the other licensing jurisdiction, unless the student has interrupted his schooling for a continuous period of two years or more before the request for transfer of credit hours

(b) A student requesting reenrollment to a school who has interrupted his schooling for a continuous period of two years or more, will not be allowed credit for hours of instruction received prior to the date of interruption. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)
AS 08.13.110

12 AAC 09.140. INSTRUCTOR-STUDENT RATIO. (a) (a) A school of barbering, hairdressing or cosmetology must employ licensed instructors and maintain at least the ratio of

(1) one full-time licensed instructor for 25 or fewer students; and

(2) after enrollment of the first 25 students, one additional full time licensed instructor for each additional 25 or fewer students.

(b) A licensed instructor must be on the school premises during all hours the school is open for instruction. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)
AS 08.13.110
AS 08.13.190

12 AAC 09.145, EQUIPMENT FOR BARBER SCHOOLS. (a) In addition to the requirements of 12 AAC 09.125(b), the classroom for theoretical instruction of the practice of barbering must be equipped with seating capacity for all students attending the classroom with equipment including, but not limited to:

- (1) one blackboard;
- (2) chart or charts of the skin, hair, muscles, nerves, bones, and circulatory system of the head, neck and face; and
- (3) book or books on anatomy, physiology and hygiene.

(b) The school shall provide each student with at least one board approved textbook as specified in 12 AAC 09.050, or a substantially similar textbook.

(c) The practical instructional area shall have available the following equipment for each student station including, but not limited to:

- (1) cabinet for instruments and linens;
- (2) towel container for soiled towels;
- (3) one portable hair dryer;
- (4) straight razor and strop;
- (5) cape with linens;
- (6) scissors;
- (7) combs;
- (8) brushes;
- (9) clips
- (10) razor with blades
- (11) shampoos, tonics, shaving lather, creams, conditioners, and antiseptics;
- (12) towels;

(13) dressing table, dresserette, or styling with mirror; and

(14) styling chair.

(d) For up to and including every 10 students, practical instructional area shall have available at least:

- (1) one high frequency unit; and
- (2) one infrared generator.

(e) For up to and including every 6 students, the practical instructional area shall have at least one shampoo bowl. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)
AS 08.13.110

12 AAC 09.150, BARBER SCHOOL CURRICULUM. (a) The curriculum for a student enrolled in a course of barbering must consist of 1,500 hours of theoretical and practical training. A school shall teach a minimum of 180 hours of theoretical instruction and the following minimum number of practical operations during the 1,500 hours of training:

45
50

Register 82

PROFESSIONAL AND
VOCATIONAL REGULATIONS

12 AAC 09.150
12 AAC 09.155

Subject

Minimum
Number of
Practical
Operations

(1) Haircutting, including hair analysis and the use of the razor, scissors, electric clippers, and thinning shears, for wet and dry cutting.

350

(2) Beard Trim

100

(3) Shave

50

(4) Scalp Massage, including hair and scalp analysis, brushing, electrical and manual scalp manipulation, and other hair treatments.

75

(5) Shampoo

100

(6) Hair styling and drying

100

(7) Facial

75

(b) No credit shall be given for time spent laundering towels, washing floors, walls, windows, lavatories, or similar work performed by a student.

(c) A licensed barber school has 6 months from the effective date of this section to comply with the curriculum requirements of (a) of this section. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)
AS 08.13.110

12 AAC 09.155. EQUIPMENT FOR HAIRDRESSING AND COSMETOLOGY SCHOOLS. (a) In addition to the requirements of 12 AAC 09.125(b), the classroom for theoretical instruction of the practice of hairdressing and cosmetology must be equipped with seating capacity for all students attending the classroom with equipment including, but not limited to:

(1) one blackboard;

(2) chart or charts of the skin, hair, muscles, nerves, bones and circulatory system of the head, neck and face; and

(3) book or books on general anatomy, physiology and hygiene.

(b) The school shall provide each student with at least one board approved textbook covering all curriculum subjects as specified in 12 AAC 09.160.

(c) The practical instructional area shall have available the following equipment for each student station including, but not limited to:

(1) cabinet for instruments and linens;

(2) towel container for soiled towels;

(3) cape with liners;

(4) towels;

(5) shampoos, tonics, creams, conditioners and setting lotions;

(6) rollers;

(7) clips, bobby and hair pins;

(8) combs;

(9) brushes;

(10) dressing table, dresserette, or styling bar with mirror;

(11) styling chair;

(12) portable hair dryer or blow dryer;

(13) pressing comb;

(14) curling iron;

(15) razor with blades;

(16) scissors;

(17) manicuring materials;

Register 82

PROFESSIONAL AND
VOCATIONAL REGULATIONS

12 AAC 09.155
12 AAC 09.160

(18) permanent waving solutions, rods and applicators;	(2) Thermal hair styling, including hair analysis, straightening, waving, curling with hot combs and hot curling irons, and blower styling.	60
(19) chemical straightening solutions;		
(20) bleaches, tints and rinses; and		
(21) disposable rubber gloves;	(3) Permanent waving, including hair analysis and chemical waving.	100
(22) thinning shears;		
(23) wax materials;	(4) Chemical straightening, including hair analysis and the use of sodium hydroxide and other base solutions.	5
(24) tweezers;		
(25) facial masks; and		
(26) astringents.	(5) Haircutting, including hair analysis and the use of the razor, scissors, and thinning shears, for wet and dry cutting	250
(d) For every 20 or fewer students working at one time, the practical instructional area shall have available		
(1) four shampoo bowls; and	(6) Haircoloring and bleaching, including hair analysis, predisposition tests, safety precautions, formula mixing, tinting, bleaching, use of dye removers, but not including color rinses.	70
(2) five standard chair-style hair dryer units with hoods. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)		
Authority: AS 08.13.030(c) AS 08.13.110		
12 AAC 09.160. CURRICULUM FOR HAIRDRESSERS AND COSMETOLOGISTS. (a) The curriculum for a student enrolled in a course of hairdressing-cosmetology must consist of 2,000 hours of theoretical and practical training. A school shall teach a minimum of 250 hours of theoretical instruction and the following minimum number of practical operations during the 2,000 hours of training:	(7) Scalp and hair treatments, including hair and scalp analysis, brushing, electric and manual scalp manipulation, and other hair treatments.	50
	(8) Facials	
	(A) Manual, including skin analysis, cleansing, manipulations, packs, and masks.	25
	(B) Eyebrow arching and hair removal, including the use of wax, tweezers.	20
Subject	Minimum Number of Practical Operations	
(1) Wet hair styling, including hair analysis, shampooing, fingerwaving, pin curling and comb-outs	300	

(C) Makeup, including skin analysis, complete and corrective makeup, and the application of false eyelashes.

25

(D) Water and oil manicure, including nail analysis, and hand and arm massage.

50

(b) The curriculum for a student enrolled in a course of hairdressing must consist of 2,000 hours of theoretical and practical training. A school shall teach the minimum 250 hours of theoretical instruction and the minimum number of practical operations specified in (a)(1)-(a)(7) of this section during the 2,000 hours of training.

(c) The curriculum for a student enrolled in a cosmetician course shall consist of 350 hours of theoretical and practical training. A school shall teach the following minimum hours of instruction and minimum number of practical operations during the 350 hours of training:

Subject	Minimum Hours of Theoretical Instruction	Minimum Practical Operations
---------	--	------------------------------

(1) The Rules and Regulations of the Alaska Board of Barbers and Hairdressers 5

(2) Chemistry pertaining to the practices of a cosmetician, including the chemical composition and purpose of cosmetic and skin care preparation. Shall also include the elementary chemical makeup physical, and chemical changes of matter. 15

(3) Electricity, including the nature of electrical current, principles of operating electrical devices, and the various

safety precautions used when operating electrical equipment. 5

(4) Bacteriology, sterilization and sanitation, safety precautions, anatomy, physiology, skin analysis and conditions. 15

(5) Facials

(A) Manual, including skin analysis, cleansing, manipulations, packs and masks. 30 60

(B) Electrical, including the use of all electrical modalities and electrical apparatus, including dermal lights for facials and skin care purposes. 30 40

(C) Eyebrow arching and hair removal including the use of wax, tweezers-manual or electrical and depilatories for the removal of superfluous hair. 15 50

(D) Make-up, including skin analysis, complete and corrective make-up, and the application of false eyelashes. 15 50

(d) No credit shall be given for time spent laundering towels, washing floors, walls, windows, lavatories or similar work.

(e) A licensed hairdressing-cosmetology school has six months from the effective date of this section to comply with the curriculum requirements of (a) and (b) of this section. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)
AS 08.13.110

12 AAC 09.165 STUDENT-INSTRUCTOR CURRICULUM. (a) The curriculum for a student enrolled in a course or instructor training must consist of 600 hours of training in teaching barbering, hairdressing or cosmetology. A school shall teach the following minimum hours of instruction:

Subject	Minimum Hours of Instruction
(1) Rules and Regulations of the board	25
(2) Preparatory theoretical instruction, including teaching techniques, lesson planning, methods of instruction, evaluation of instruction, student record keeping, state record keeping and school operation.	75
(3) Supervision of desk, booking appointments, and assigning students for clinic services.	25
(4) Clinic floor supervision under direct supervision of licensed instructor.	50
(5) The remaining 425 hours shall be completed as scheduled by the school but must include:	
(A) presentation of theoretical subjects in a classroom situation;	50
(B) presentation of theoretical subjects in a classroom situation; and	50
(C) supervision of clinic floor.	325

(b) A school shall employ text and reference books in a student instructor teaching program.

(c) No credit shall be given for time spent laundering towels, washing floors, walls, windows or similar work. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)
AS 08.13.110
AS 08.13.190

12 AAC 09.170. THEORY SYLLABUS AND CRITERIA FOR GRADING OF EXAMINATIONS. (a) The board may provide a theory syllabus to licensed schools of barbering, hairdressing and cosmetology, outlining topics to be taught by the school and listing suggested textbooks to be used for instruction in the practice of barbering, hairdressing and cosmetology.

(b) The board will provide its criteria for grading of examinations to each school of barbering, hairdressing and cosmetology and to each candidate scheduled to take the examination prior to the date of an examination. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08.13.030(c)(3)
AS 08.13.110

12 AAC 90.175. SANITATION. A violation of the rules and regulations of the Alaska Department of Environmental Conservation governing health and sanitary conditions of the schools of barbering, hairdressing and cosmetology constitutes a violation of this chapter and is subject to the provisions of AS 08.13.030(c)(2). (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)
AS 08.13.210

ARTICLE 6 STUDENT PERMITS

Section
180. Student permits
190. Apprentices

12 AAC 09.180. STUDENT PERMITS. (a) The board will issue a student permit according to the provisions of AS 08.12.180 upon receipt of the applicant's:

(1) check or money order in the amount specified in AS 08.13.180(9); and

(2) proof of enrollment in a licensed school of barbering, hairdressing or cosmetology as specified in 12 AAC 09.130; or

(3) proof of acceptance to be apprenticed to a practitioner in a shop approved by the board.

(b) The board will issue a student-instructor permit, valid for two years from date of issuance, upon receipt of the applicant's:

(1) proof of enrollment in a student-instructor program in a licensed school of barbering, hairdressing or cosmetology as specified in 12 AAC 09.130; and

(2) proof of a current license to practice as a barber, hairdresser-cosmetologist or cosmetician in Alaska.

(c) The board may extend a student permit beyond the original expiration date of the permit, up to the date of the next scheduled examination, if a request for an extension is made by the permit holder explaining the need for the extension. (Eff. 11/2/81, Reg. 90)

Authority: AS 08.13.030(c)(3)
AS 08.13.180
AS 08.13.190

12 AAC 09.190. APPRENTICES. (a) The owner or manager of a currently licensed barber, hairdressing or cosmetology shop which is approved by the board may sponsor an apprentice in the instruction of barbering, hairdressing or cosmetology if

(1) the shop submits a curriculum to the board and provides for

(A) the use of a standard textbook as specified in 12 AAC 09.050;

(B) instruction of the minimum hours of theory and minimum number of practical operations specified in 12 AAC 09.150 or 12 AAC 09.160;

(C) a training period which meets the requirements of AS 08.13.082; and

(D) the issuance of an affidavit of completion to each apprentice successfully completing the apprenticeship;

(2) the sponsoring shop owner or manager has been licensed and actively engaged in the practice of barbering or hairdressing-cosmetology in Alaska for at least three years and holds a current instructor license; and

(3) the shop owner or manager informs the board, on a form provided by the department, at least 30 days before the start of training an apprentice and no more than 30 days after the end of training an apprentice.

(b) A shop owner or manager may sponsor one apprentice for every five or fewer licensees practicing in the shop.

(c) A shop owner or manager may not sponsor a student-instructor.

(d) The sponsor of an apprentice must provide training and instruction to the same extent required of a school of barbering, hairdressing, or cosmetology.

(e) A shop owner or manager must maintain daily records of an apprentice's number of hours of instructional coursework and number of practical operations sponsored by the shop.

(f) A shop owner or manager may not credit an apprentice for more than eight hours of training in any one day, and must comply with AS 08.13.220(1), concerning wages and charges for apprentice services.

(g) All records required to be maintained by a shop owner or manager under this section must be maintained in an orderly alphabetical or numerical filing system and must be made available for inspection by any number of the board during hours the shop is open for business.

(h) A shop approved by the board to sponsor an apprentice under this section is liable for all services and work performed by the apprentice in the shop. An apprentice may not perform work in the

shop unless the licensed barber or hairdresser-cosmetologist instructor responsible for his or her training is on the premises.

(i) An apprentice must complete his or her apprenticeship in the shop which first sponsored him or her, unless the apprentice transfers to another shop which is approved by the board and which complies with (a) of this section.

(j) Upon completion of a course of instruction under this section, an apprentice is eligible to take the appropriate examination in the license categories of barbering, hairdressing or cosmetology.

(k) An apprentice who interrupts his or her training for a continuous period of two years will not be allowed credit for apprenticeship instruction and training received before the interruption.

(l) A licensed barber, hairdresser, or cosmetologist sponsoring an apprentice as of [THE EFFECTIVE DATE OF THIS SECTION,] is not required to comply with (a)(2) of this section until another apprentice applies to be sponsored after that date. (Eff. 10/21/82, Reg. 84)

Authority: AS 08.13.030
AS 08.13.082
AS 08.13.180

ARTICLE 7 GENERAL PROVISIONS

Section

900. Examiners

905. Location of shops in private residence

910. Duties of Instructors and Student-Instructors

915. Definitions

12 AAC 09.900. EXAMINERS. (a) For the purpose of conducting practical sections of the examinations, the board may approve a person, who has been licensed in Alaska as a barber, hairdresser or cosmetologist for at least five years, to assist the board as an examiner.

(b) A person approved as an examiner under (a) of this section, may not be:

(1) a licensed practitioner of a shop sponsoring an apprentice taking the examination;

(2) the owner of a barber, hairdressing or cosmetology school located in the state; or

(3) a licensed instructor in a barber, hairdressing or cosmetology school located in the state. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)
AS 08.13.090(c)

12 AAC 09.905. LOCATION OF SHOPS IN PRIVATE RESIDENCE. (a) No shop may be opened and maintained in a private residence unless the shop is located in a separate room apart from living quarters.

(b) Application for a shop license must be made according to the provisions of 12 AAC 09.110(a) and is subject to the provisions of 12 AAC 09.110(b) and (c). (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)
AS 08.13.120
AS 08.13.210

12 AAC 09.910. DUTIES OF INSTRUCTORS AND STUDENT INSTRUCTORS. (a) No instructor or student-instructor may, in connection with his duties instructing at a licensed school, practice barbering, hairdressing or cosmetology upon members of the public, except when work pertains directly to the instruction of students.

(b) A student-instructor shall not be permitted to instruct without a licensed instructor on the school premises. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)

12 AAC 09.915. DEFINITIONS. As used in this chapter:

(1) "board" means the Board of Barbers and Hairdressers;

(2) "cosmetician" means a person who is licensed to practice cosmetology;

(1) a licensed practitioner of a shop sponsoring an apprentice taking the examination;

(2) the owner of a barber, hairdressing or cosmetology school located in the state; or

(3) a licensed instructor in a barber, hairdressing or cosmetology school located in the state. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)
AS 08.13.090(c)

12 AAC 09.905. LOCATION OF SHOPS IN PRIVATE RESIDENCE. (a) No shop may be opened and maintained in a private residence unless the shop is located in a separate room apart from living quarters.

(b) Application for a shop license must be made according to the provisions of 12 AAC 09.110(a) and is subject to the provisions of 12 AAC 09.110(b) and (c). (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)
AS 08.13.120
AS 08.13.210

12 AAC 09.910. DUTIES OF INSTRUCTORS AND STUDENT INSTRUCTORS. (a) No instructor or student-instructor may, in connection with his duties instructing at a licensed school, practice barbering, hairdressing or cosmetology upon members of the public, except when work pertains directly to the instruction of students.

(b) A student-instructor shall not be permitted to instruct without a licensed instructor on the school premises. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)

12 AAC 09.915. DEFINITIONS. As used in this chapter:

(1) "board" means the Board of Barbers and Hairdressers;

(2) "cosmetician" means a person who is licensed to practice cosmetology;

(3) "department" means the Department of Commerce and Economic Development;

(4) "jurisdiction" means a licensing board or administrative agency of Alaska, another state, territory or country responsible for issuing licenses and maintaining licensing records for barbers, hairdressers or cosmetologists;

(5) "theoretical instruction" means instruction by lecture, classroom participation, or examination;

(6) "practical instruction, operation or training" means the demonstration of or the actual performance of barbering, hairdressing or cosmetology by a student, apprentice, or practitioner. (Eff. 11/2/81, Reg. 80; am 10/2q/82, Reg. 84)

Authority: AS 08.13.030(c)

THE STATE OF ALASKA

Authority: AS 16.05.251

AS 16.05.251

AS 16.05.251

AS 16.05.251

AS 16.05.251

107

STATE OF ALASKA



BOARD OF BARBERS AND HAIRDRESSERS

Barber and Hairdresser Statutes 08.01.010 - 08.13.220

Barber and Hairdresser Regulations 12 AAC 02.010 - 12 AAC 02.030 and

12 AAC 09.005 - 12 AAC 09.915

12 AAC 02.010 - 02.030
and 12 AAC 09.005 - 09.915

of this section.

PRINTED: March 1983

REGULATIONS

VOCATIONAL REGULATIONS 12 AAC 09.
BOARD OF BARBERS AND HAIRDRESSERS

CHAPTER 2
DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT
DIVISION OF OCCUPATIONAL LICENSING

Article

1. Collection of Fees

ARTICLE 1
COLLECTION OF FEES

Section

- 10. Licensing and renewal fees
- 20. Prorating renewal fees
- 30. Prorating licensing fees

12 AAC 02.010. LICENSING AND RENEWAL FEES. (a) The department will collect fees and issue receipts for licensing and for license renewal for the boards listed in AS 08.01.010.

(b) The department will not issue a license or renew a license unless the applicable fees established in AS 08 dealing with one of the boards listed in AS 08.01.010 have been collected and a receipt has been prepared. (Eff. 10/2/81, Reg. 80)

Authority: AS 08.01.080
AS 08.01.050

12 AAC 02.020. PRORATING RENEWAL FEES. (a) The department will prorate biennial licensing renewal fees for boards listed in AS 08.01.010 which require payment of the renewal fee at the time a license is issued, in the following manner; if the department issues an initial license

(1) within 30 days before the date by which the license must be renewed, the licensee is not required to pay a renewal fee until the next and subsequent renewal dates;

(2) within six months before but more than 30 days before the date by which the license must be renewed, the licensee shall pay one fourth of the prescribed renewal fee;

(3) within 12 months before but more than six months before the date by which the license must be renewed, the licensee shall pay one half of the prescribed renewal fee;

(4) within 18 months before but more than 12 months before the date by which the license must be renewed, the licensee shall pay three fourths of the prescribed renewal fee; or

(5) more than 18 months before the date by which the license must be renewed, the licensee shall pay the entire prescribed renewal fee.

(b) The department shall prorate quadrennial licensing renewal fees for boards listed in AS 08.01.010 which require payment of the renewal fee at the time a license is issued in the following manner; if the department issues an initial license

(1) within 60 days before the date by which the license must be renewed, the licensee is not required to pay a renewal fee until the next and subsequent renewal dates;

(2) within 12 months before but more than 60 days before the date by which the license must be renewed, the licensee shall pay one fourth of the prescribed renewal fee;

(3) within 24 months before but more than 12 months before the date by which the license must be renewed, the licensee shall pay one half of the prescribed renewal fee;

(4) within 36 months before but more than 24 months before the date by which the license must be renewed, the licensee shall pay three fourths of the prescribed renewal fee; or

(5) more than 36 months before the date by which the license must be renewed, the licensee shall pay the entire prescribed renewal fee. (Eff. 10/2/81, Reg. 80)

Authority: AS 08.01.050
AS 08.01.080
AS 08.01.100

12 AAC 02.030. PRORATING LICENSING FEES. (a) The department will prorate initial license fees which specifically state that the initial license fee is for two years, in the following manner; if the department issues an initial license

(1) within 30 days before the date by which it must be renewed, the licensee shall pay the entire license fee and is not required to pay the renewal fee until the second and subsequent renewal dates;

(2) within six months before but more than 30 days before the date by which the license must be renewed, the licensee shall pay one fourth of the prescribed license fee at the time of issuance;

(3) within 12 months before but more than six months before the date by which the license must be renewed, the licensee shall pay one half of the prescribed license fee at the time of issuance; or

(4) more than 12 months before the date by which the license must be renewed, the licensee shall pay the entire prescribed license fee at the time of issuance.

(b) A licensee whose initial license fee was prorated in accordance with (a)(2), (3) or (4) of this section, shall pay the entire prescribed renewal fee at the time of the first and subsequent renewal dates.

(c) A fee paid for an initial license issued 30 days or less before the date of the first renewal will be applied to the first renewal.

(d) Licensing and renewal fees in the amount of \$60.00 or less will not be prorated by the department, but must be paid in full at the time an initial license is issued and renewed. (Eff. 10/2/81, Reg. 80; am 3/28/82, Reg. 81)

Authority: AS 08.01.080
AS 08.01.100

CHAPTER 9
BOARD OF BARBER AND HAIRDRESSERS

Article

- 1. Examination Applications and Standards
- 2. Barber Examinations
- 3. Hairdressing and Cosmetology Examinations
- 4. Licensing Applications and Standards
- 5. Barber, Hairdressing and Cosmetology Schools
- 6. Student Permits
- 7. General Provisions

ARTICLE 1
EXAMINATION APPLICATIONS AND
STANDARDS

Section

- 05. Time and place for filing applications
- 10. Examinations
- 15. Reexamination
- 20. Conduct for examinations
- 30. Station assigned and equipment
- 35. Models
- 38. Computation of grades

12 AAC 09.005. TIME AND PLACE FOR FILING APPLICATIONS. (a) An application for examination as a barber, hairdresser-cosmetologist, hairdresser or cosmetician must be submitted on a form provided by the department with certified or notarized documents in support of the application.

(b) The application with the required fee must be received in the department not less than 15 days before the date of the examination. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08.13.030(b)(1)
and (c)(3)

12 AAC 09.010. EXAMINATIONS. (a) Examinations of applicants for licensure will be given quarterly each year by the board.

(b) The board will give public notice of the date and place of an examination at least 30 days before the examination.

Authority: AS 08.13.030(b)(1)
and (c)(3)
AS 08.13.040

(c) Additional examinations may be held at the discretion of the board if there are five or more applicants. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

12 AAC 09.015. REEXAMINATION. Applicants failing to pass an examination or failing to appear for an examination may take another examination by submitting the required fee of \$25.

(b) An applicant scheduled to take an examination who is unable to appear, will have his examination fee transferred to the next scheduled examination if he notifies the department of his inability to appear at least five days before the examination date. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08.13.030(b)(1)
and (c)(3)

12 AAC 09.020. IDENTIFICATION OF APPLICANT. (a) The department will assign each applicant for examination a number by which he or she is identified during the examination.

(b) No applicant may reveal his or her identity to an examiner until grading has been completed by the examiners.

(c) No applicant may make any reference orally or in writing to an examiner about any school of barbering, hairdressing or cosmetology, instructor, or present licenses held until grading has been completed by the examiners.

(d) No equipment, supplies, apparel or items which are to be turned into the board may identify the applicant except by the number assigned by the department. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)
and (c)(3)
AS 08.13.090

12 AAC 09.025. CONDUCT FOR EXAMINATIONS. (a) No applicant may leave the practical examination site or the written examination site while the examination is being conducted without permission of an examiner.

(b) Any attempt by a school owner, instructor, or any person to communicate with or help an applicant in any way while taking the examination, or an attempt by an applicant to secure information from another applicant will disqualify the applicant from completing the examination. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)
and (c)(3)

12 AAC 09.030. STATION ASSIGNED AND EQUIPMENT. (a) Each applicant will be assigned a station equipped with a chair in which he or she will perform the required practical operations. Any change in station assignment must be approved by an examiner.

(b) An applicant must furnish his or her own tools and supplies for the practical examination as designated by the board. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)
and (c)(3)
AS 08.13.090(c)

12 AAC 09.035. MODELS. (a) An applicant shall secure his or her own model for the practical examination.

(b) An applicant shall provide the board with a statement of release of liability of the State and the applicant as executed by the model on a form provided by the department.

(c) An applicant shall provide the board with his or her model's name, age (if under 18 years of age), address and telephone number.

(d) A model for the practical examination must be at least 15 years of age.

(e) A model for the practical examination may not be a licensed barber, hairdresser or cosmetologist, a student or shop apprentice. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)
AS 08.13.090(c)

12 AAC 09.038. COMPUTATION OF GRADES. An applicant's final grade for each subject of the practical section of the examination is computed by totaling the number of points given to him or her by each examiner and dividing that total by the number of examiners grading the applicant. (Eff. 4/18/82, Reg. 82)

Authority: AS 08.13.030
AS 08.13.090

ARTICLE 2 BARBER EXAMINATIONS

Section

- 40. Content and grading criteria of barber examination
- 45. Content and grading criteria of barber instructor examination
- 50. Basis of questions
- 55. Reexamination

12 AAC 09.040. CONTENT AND GRADING CRITERIA OF BARBER EXAMINATION. (a) The examination for a barber consists of the following sections:

(1) a 2-hour written examination covering sanitation, barber science, sterilization of equipment, and common contagious and infectious diseases of the face, head and neck;

(2) a practical examination with a maximum grade of 100 points as may be given by an examiner in each of the following subjects when completed in the specified time period:

- (A) haircut, 45 minutes;
- (B) shave, 45 minutes;
- (C) scalp massage, 15 minutes;
- (D) shampoo, 15 minutes;
- (E) hairstyling and drying, 15 minutes; and

(F) facial (rolling cream or scientific rest),
45 minutes.

(b) The condition and use of tools, sanitation, and protection and comfort of model will be included in the grading of each subject of the practical examination.

(c) A grade of at least 75 percent on the written examination section and a grade of at least 75 points on each subject of the practical examination section is a passing grade. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)
AS 08.13.090

12 AAC 09.045. CONTENT AND GRADING CRITERIA FOR BARBER INSTRUCTOR EXAMINATION. (a) The examination for a barber instructor will consist of the following sections:

(1) a 2-hour written examination prepared by the board based on questions designated in 12 AAC 09.050; and

(2) a 30 minute or longer demonstration of a practical and theoretical barbering lesson plan to be determined by the board at the examination consisting of one or more of the following subjects:

- (A) haircut;
- (B) shaving;
- (C) scalp massaging; and
- (D) shampooing;
- (E) facial; and
- (F) hairstyling and drying.

(b) A grade of at least 75 percent on the written examination section is a passing grade for that section of the examination. The demonstration section of the examination will be graded by the board on a pass/fail basis. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)
AS 08.13.090
AS 08.13.190

12 AAC 09.050. BASIS OF QUESTIONS. The authorized textbooks for basis of examination questions are:

(1) Practice and Science of Standard Barbering, published by Milady Publishing Company, Bronx, New York, 1969, and subsequent editions; and

(2) Standard Textbook of Professional Barbering, published by Milady Publishing Company, Bronx, New York, 1977, and subsequent editions. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(c)(3)
AS 08.13.090

12 AAC 09.055. REEXAMINATION. (a) An applicant who fails the entire examination, or one section of the examination, may be reexamined at the next scheduled examination.

(b) An applicant who fails one or more subjects of the practical section of the examination may be reexamined in only the subject or subjects failed.

(c) An applicant who fails one section of the examination, but passes the other section, may be reexamined only in the section failed.

(d) An applicant who fails the demonstration section of the instructor examination may be reexamined in the entire section. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08.13.030(c)(3)
AS 08.13.090

ARTICLE 3 HAIRDRESSING AND COSMETOLOGY EXAMINATIONS

Section

- 60. Content and grading criteria for hairdressing-cosmetology examination
- 62. Content and grading criteria for hairdressing examination
- 65. Content and grading criteria for cosmetician examination
- 70. Content and grading criteria for hairdresser-cosmetologist instructor examination
- 75. Reexamination

12 AAC 09.060. CONTENT AND GRADING CRITERIA FOR HAIRDRESSING-COSMETOLOGY EXAMINATION. (a) The examination for a hairdresser-cosmetologist consists of the following sections:

(1) a 2-hour written examination entitled the National Cosmetology Test, sponsored by the National Interstate Council of State Boards of Cosmetology and developed and scored by the Psychological Association; and

(2) a practical examination with a maximum grade of 100 points as may be given by an examiner in each of the following subjects graded when completed in the specified time periods allowed per subject:

- (A) permanent waving, 30 minutes;
- (B) virgin bleach and tint, 30 minutes;
- (C) haircutting, 45 minutes;
- (D) hair styling, 45 minutes.

(3) a practical examination with a maximum grade of 100 points as may be given by an examiner in the subjects of facial massage, skin care, make-up and eye care, when completed within 90 minutes.

(b) sanitation, comfort and protection of model will be included in the grading of each subject of the practical examination.

(c) a grade of at least 75 percent on the written examination section and a grade of at least 75 points on each subject of the practical examination section is a passing grade.

(d) An applicant who passes the written examination and passes the subjects specified in (a)(2) and (b) of this section, but fails (a)(3) of this section, is entitled to a license as a hairdresser. A candidate who passes the written examination and the subjects specified in (a)(3) and (b) of this section, but fails one or more subjects in (a)(2) of this section, is entitled to a license as a cosmetician. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)
AS 08.13.090

12 AAC 09.062. CONTENT AND GRADING CRITERIA FOR HAIRDRESSING EXAMINATION.

(a) The examination for a hairdresser will consist of the examination sections and subjects specified in 12 AAC 09 060(a)(1), (2) and (b).

(b) A grade of at least 75 percent on the written examination section and a grade of at least 75 points on each subject of the practical examination section is a passing grade. (Eff. 4/18/82, Reg. 82)

Authority: AS 08.13.030
AS 08.13.090

12 AAC 09.065. CONTENT AND GRADING CRITERIA FOR COSMETICIAN EXAMINATION.

(a) The examination for a cosmetician consists of the following sections:

(1) a 2-hour written examination entitled the National Esthetician Test, sponsored by the National Interstate Council of State Board of Cosmetology and developed and scored by the Psychological Corporation; and

(2) a practical examination with a maximum grade of 100 points as may be given by an examiner in the subjects of facial massage, skin care, make-up and eye care, when completed within 90 minutes.

(b) Sanitation, comfort and protection of model will be included in the grading of each subject of the practical examination.

(c) A grade of at least 75 percent on the written examination section and a grade of at least 75 percent on each subject of the practical examination section is a passing grade. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08.13.030(c)(3)
AS 08.13.090

12 AAC 09.070. CONTENT AND GRADING CRITERIA FOR HAIRDRESSER-COSMETOLOGIST INSTRUCTOR EXAMINATION. (a) The examination for a hairdresser-cosmetologist instructor

consists of the following sections:

(1) a 2-hour written examination entitled the Cosmetology Teacher Test, sponsored by the National Interstate Council of State Boards of Cosmetology and developed and scored by the Psychological Corporation; and

(2) a 30-minute or longer demonstration of a practical and theoretical lesson plan to be determined by the board at the examination, consisting of one or more of the following subjects:

- (A) facial massage, skin care, make-up and eye care;
- (B) haircutting;
- (C) hair styling;
- (D) permanent waving;
- (E) virgin bleach and tint;
- (F) chemical hair relaxing; and
- (G) scalp treatment.

(b) a grade of at least 75 percent on the written examination section is a passing grade for that section of the examination. The demonstration section of the examination will be graded on a pass/fail basis. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82)

Authority: AS 08.13.030(c)(3)
AS 08.13.090(c)
AS 08.13.130

12 AAC 09.075. REEXAMINATION. (a) An applicant who fails the entire examination, or one section of the examination may be reexamined at the next scheduled examination.

(b) An applicant who fails one or more subjects of the practical section of the examination may be reexamined in only the subject failed.

(c) An applicant who fails the written section of the examination, but passes the practical examination section, may be reexamined in only the section failed.

(d) An applicant who fails the demonstration section of the instructor examination may be reexamined in the entire section. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)
AS 08.13.090

ARTICLE 4 LICENSING APPLICATIONS AND STANDARDS

Section

- 80. Barber license by examination
- 85. Barber license by waiver
- 90. Hairdressing-cosmetologist or hairdressing licenses by examination
- 95. Hairdressing-cosmetology or hairdressing licenses by waiver
- 100. Cosmetician license by examination
- 105. Cosmetician license by waiver
- 107. Temporary permits
- 110. Shop owner and shop license
- 115. Verifications

12 AAC 09.080. BARBER LICENSE BY EXAMINATION. (a) An application for a barber license by examination must be submitted according to the provisions of 12 AAC 09.005 with:

(1) verification of 1,500 hours of training in a barber school approved by the board or approved by another licensing jurisdiction;

(2) verification of 1,500 hours of training in an apprenticeship program approved by the board or approved by another licensing jurisdiction; or

(3) verification of 1,500 hours combined training in a barber school and an apprenticeship program approved by the board or approved by another licensing jurisdiction.

(b) An application for a barber instructor license by examination must be submitted according to the provisions of 12 AAC 09.005 with:

(1) verification of a current Alaska barber license; and

(2) verification of at least three years of practice as a licensed barber in Alaska or in another licensing jurisdiction; or

(3) one year of practice as a licensed barber in Alaska or in another licensing jurisdiction and 600 hours of student instructor training in a barber school approved by the board or by another licensing jurisdiction. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(b) and (c)
AS 08.13.080(a)
AS 08.13.110
AS 08.13.190

12 AAC 09.085. BARBER LICENSE BY WAIVER. (a) An application for a barber license by waiver of examination must be submitted on a form provided by the department with:

(1) a check or money order in the amounts specified in AS 08.13.185(5) and (11);

(2) verification of a current barber license issued by another licensing jurisdiction; and

(3) verification of completed training or work experience equivalent to:

(A) 1,500 hours of training in a barber school or apprentice program approved by the board or approved by another licensing jurisdiction; or

(B) at least one year of full-time work experience as a licensed barber, averaging no less than 32 hours per week, and a minimum 1,000 hours of training in a barber school or apprenticeship program approved by the board or by another licensing jurisdiction.

(b) An application for a barber instructor license by waiver of examination must be made on a form provided by the department with:

(1) a check or money order in the amount specified in AS 08.13.185(3) and (11);

(2) verification of a current barber instructor license issued by another licensing jurisdiction; and

(3) verification of training and experience equivalent to 12 AAC 09.080(b)(2) or (b)(3). (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(b) and (c)
AS 08.13.080
AS 08.13.110
AS 08.13.190

12 AAC 09.090. HAIRDRESSING-COSMETOLOGIST OR HAIRDRESSING LICENSES BY EXAMINATION. (a) An application for a hairdressing-cosmetology or a hairdressing license by examination must be submitted according to the provisions of 12 AAC 09.005 with

(1) verification of 2,000 hours of training in a hairdressing, cosmetology or beauty culture school approved by the board or approved by another licensing jurisdiction;

(2) verification of 2,000 hours of training in a apprenticeship program approved by the board or approved by another licensing jurisdiction; or

(3) verification of 2,000 hours of combined training in a hairdressing, cosmetology, or beauty culture school and apprenticeship program approved by the board or approved by another licensing jurisdiction.

(b) An application for a hairdresser-cosmetologist instructor by examination must be submitted according to the provisions of 12 AAC 09.005 with

(1) verification of a current license to practice as a hairdresser-cosmetologist in Alaska; and

(2) verification of at least three years of practice as a licensed hairdresser-cosmetologist in Alaska or in another licensing jurisdiction; or

(3) verification of one year of practice as a licensed hairdresser-cosmetologist in Alaska or as a licensed hairdresser-cosmetologist in another licensing jurisdiction and six hundred hours of student instructor training in a hairdressing, cosmetology or beauty culture school approved by the board or approved by another licensing jurisdiction. (Eff. 11/2/81, Reg. 80; am 4/18/82, Reg. 82; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(b) and (c)
AS 08.13.080(b)
AS 08.13.110
AS 08.13.190

**12 AAC 09.095 HAIRDRESSING-COSMETOL-
OGY OR HAIRDRESSING LICENSES BY WAIVER.**

(a) An application for a hairdresser-cosmetologist or hairdresser license by waiver of examination must be made on a form provided by the department with

(1) a check or money order in the amount specified in AS 08.13.185;

(2) verification of a current license to practice hairdressing-cosmetology or hairdressing issued by another licensing jurisdiction; and

(3) verification of completed training and work experience equivalent to:

(A) 2,000 hours of training in a hairdressing, cosmetology or beauty culture school or an apprenticeship program approved by the board or approved by another licensing jurisdiction;

(B) at least one year of full-time work experience as a licensed hairdresser-cosmetologist or hairdresser, averaging no less than 32 hours per week, and a minimum 1,500 hours of training in a hairdressing, cosmetology, or beauty culture school or an apprenticeship program approved by the board or by another licensing jurisdiction; or

(C) at least two years of full-time work experience as a licensed hairdresser-cosmetologist or hairdresser, averaging no less than 32 hours per week, and a minimum of 1,000 hours of training in a hairdressing, cosmetology or beauty culture school or an apprenticeship program approved by the board or approved by another licensing jurisdiction.

(b) An applicant unable to satisfy the requirements of (a)(3) of this section due to lack of equivalency, may obtain the needed hours of training and/or experience through attendance at an approved hairdressing, cosmetology, or beauty culture school or participation in an apprenticeship program approved by the board.

(c) An application for a hairdresser-cosmetologist instructor license by waiver of examination must be made on a form provided by the department with:

(1) a check or money order in the amount specified in AS 08.13.185(3) and (11);

(2) verification of a current hairdresser-cosmetologist instructor license issued by another licensing jurisdiction; and

(3) verification of training and experience equivalent to 12 AAC 09.090(b)(2) or (b)(3), (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(b) and (c)
AS 08.13.100(c)
AS 08.13.110
AS 08.13.190

12 AAC 09.100. COSMETICIAN LICENSE BY EXAMINATION. An application for a cosmetician license by examination must be submitted according to the provisions of 12 AAC 09.005 with:

(1) verification of 350 hours of cosmetician training in a hairdressing, cosmetology or beauty culture school approved by the board or approved by another licensing jurisdiction;

(2) verification of 350 hours of cosmetician training in an apprenticeship program approved by the board or approved by another licensing jurisdiction; or

(3) verification of 350 hours of combined cosmetician training in a hairdressing, cosmetology or beauty culture school and an apprenticeship program approved by the board or approved by another licensing jurisdiction. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)
and (c)(3)
AS 08.13.080(c)

12 AAC 09.105. COSMETICIAN LICENSE BY WAIVER. An application for a cosmetician license by waiver of examination must be submitted on a form provided by the department with:

(1) a check or money order in the amount specified in AS 08.13.185(7) and (11);

(2) verification of a current license to practice as a cosmetician issued by another licensing jurisdiction; and

(3) verification of training equivalent to 12 AAC 09.100. (Eff. 11/2/81, Reg. 80)

Authority: AS 08.13.030(b)(1)
and (c)(3)
AS 08.13.100(d)

12 AAC 09.107. TEMPORARY PERMITS. (a) An application for a temporary permit must be submitted on a form provided by the department with

(1) verification of a current license to practice barbering, hairdressing-cosmetology, or cosmetology issued by another licensing jurisdiction;

(2) a check or money order in the amount specified in AS 08.13.185;

(3) a statement of the purpose for which the temporary permit is being applied;

(4) the specific locations and exact dates the temporary permit holder would practice, demonstrate or teach; and

(5) the name or names of sponsors in Alaska, if applicable.

(b) A temporary permit is valid only for the locations and dates submitted with the application not exceeding a continuous period of 30 days.

(c) A temporary permit will not be renewed, but may be reissued upon receipt of a complete application submitted according to (a) of this section. (Eff. 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)
AS 08.13.170

12 AAC 09.110. SHOP OWNER AND SHOP LICENSES. (a) An application for a shopowner license must be submitted on a form provided by the department with

(1) a check or money order in the amount specified in AS 08.13.185(4); and

(2) the business name, physical location and addresses of all shops owned.

(b) An applicant for a shop license must be submitted on a form provided by the department with

(1) the original or a notarized copy of a satisfactory report of a sanitary health inspection by the Alaska Department of Environmental Conservation, or its designee, which was conducted within 90 days of the date application is submitted to the department; and

(2) a notarized statement to include the

(A) name of the owner or lessee;

(B) business name of the shop;

(C) physical location and address of the shop; and

(D) Alaska license number of the barber, hairdresser, cosmetologist or cosmetician employed as manager of the shop if the owner is not a licensed practitioner in the state.

(b) In the event of sale, lease, or transfer of ownership of a shop the seller, lessor or transferor shall notify the board in writing of the transaction within 30 days of the sale, lease or transfer. The notice must include the name and address of buyer, lessee, or transferee.

(c) A violation of the rules and regulations of the Alaska Department of Environmental Conservation governing health and sanitary conditions in shops of barbering, hairdressing and cosmetology constitutes a violation of this chapter and is subject to the provisions of AS 08.13.030(c)(2).

(d) A shop owner or manager of a shop shall permit any member of the board of inspect the shop at any time during working hours. (Eff. 11/2/81, Reg. 80; am 10/21/82, Reg. 84)

Authority: AS 08.13.030(c)(3)
AS 08.13.120
AS 08.13.210

STATE OF ALASKA 1985 LEGISLATIVE SESSION
FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: SB 218
 Title: Relating to Barbers,
 Cosmetologists, & Estheticians
 Sponsor: Senator Rodey
 Requestor: _____
 Date of Request: _____

FISCAL DETAIL

Agency Affected: Commerce & Economic Dev.
 Program Category Affected: _____
Consumer Protection
 BRU, Program or Subprogram(s) Affected:
Occupational Licensing

EXPENDITURES/REVENUES: (Thousands of Dollars)

	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90
OPERATING						
100 PERSONAL SERVICES		-0-				
200 TRAVEL		6.2				
300 CONTRACTUAL		2.7				
400 SUPPLIES						
500 EQUIPMENT						
600 LAND & STRUCTURES						
700 CRANTS, CLAIMS						
800 MISCELLANEOUS						
TOTAL OPERATING		8.9				

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE						
----------------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		8.9				
FEDERAL FUNDS						
OTHER						
TOTAL		8.9				

POSITIONS:

FULL-TIME		-0-				
PART-TIME						
TEMPORARY						

ANALYSIS: Attach a separate page if necessary

The bill amends the name of the Board and adds an additional licensing category of estheticians. Funding for the board to operate in FY '86 is included in the Department's FY 86 budget request. It was necessary to budget for the board since although the board is in it's Sunset year, there is still the possibility of the board being extended.

Prepared By: Jennifer Strickler, Management Analyst Phone: 465-2144
 Division: Occupational Licensing Date: 4-3-85

Approved by Commissioner: Loren H. Lounsbury Date: 4/3/85
 Agency: Commerce and Economic Development

Distribution (by Agency preparing fiscal note):

Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

Exams:

Past examinations have indicated a growing number of examinees from the Soldotna area. Because the bill mandates the board to offer an exam in another city if there are at least five (5) applicants, travel costs for one board member are included.

1 board member from Anchorage to Soldotna	
Transportation at \$64 x 4 trips	256.00
Per diem at \$80 per day x 2 days x 4 trips	640.00
	<hr/>
	\$ 896.00

300 CONTRACTUAL SERVICES:

Facility costs:

Practical Examinations require the use of special facilities (barber & hairdresser schools). Therefore, rental charges for two additional examinations (one in Anchorage and one in Fairbanks), and four exams in Soldotna are included.

Anchorage facility (Hairdressers)	500.00
(Barbers)	150.00
Fairbanks facility (Hairdressers)	150.00
(Barbers)	150.00
Soldotna facility, based on \$150 per exam x 4 examinations per year	600.00
	<hr/>
	\$1,550.00

Regulation notices

The bill allow for the regulation of manicure and pedicure. Therefore, costs for advertising of regulation notices in accordance with the Administrative Procedure Act is included.

Advertising (public noticing) costs at \$60 each x 3 major newspapers x 2 projects	360.00
---	--------

Proctor fees

Anchorage examination 2 proctors at \$35 per day x 2 days x 2	140.00
Fairbanks examination 2 proctors at \$35 per day x 2 days x 2	140.00
Soldotna examinations 2 proctors at \$35 per day each x 2 days = 140 x 4 examinations	560.00
	<hr/>
	\$ 840.00

GRAND TOTAL: \$ 8,910.00

100 PERSONAL SERVICES:

-0-

200 TRAVEL:

Two meetings and examinations are already budgeted for in the department's FY 86 budget request. SB 218 authorizes the board to meet "as often as necessary to conduct its business." In the past three fiscal years, the board had conducted a minimum of four (4) meetings each year. Therefore, costs for two additional meetings are included in this fiscal note.

Juneau Meeting:

2 board members in Juneau	
Transportation	-0-
Per diem at \$80 per day x 2 days x 2	320.00
2 board members from Anchorage	
Transportation at \$352 each x 2	704.00
Per diem at \$80 per day x 2 days x 2	320.00
1 board member from Fairbanks	
Transportation at \$564	564.00
Per diem at \$80 per day x 2 days	160.00
	<hr/>
	\$ 2,068.00

Fairbanks Meeting:

1 board member in Fairbanks	
Transportation	-0-
Per diem at \$90 per day x 2 days	180.00
2 board members from Anchorage	
Transportation at \$212 each x 2	424.00
Per diem at \$90 per day x 2 days x 2	360.00
3 from Juneau (2 board members, 1 licensing examiner)	
Transportation at \$564 each x 3	1,692.00
Per diem at \$90 per day x 2 days x 3	540.00
	<hr/>
	\$ 3,196.00

DIVISION OF OCCUPATIONAL LICENSING
Proposed amendments to SB 218

Section 5

- Page 2, line 18 - Omit "once each calendar quarter in Anchorage."
line 19 - Keep "twice in every year."
line 20 - Omit "If there are at least five applicants."
line 21 - Omit entirely.
line 22 - Omit "immediately after the examination in Anchorage."

Section 8

- Page 4, line 2 - Change "program" to "board approved curriculum."
line 6 - Change "program" to "board approved curriculum."
line 10 - Change "program" to "board approved curriculum."
line 17 - Delete [teaching] and insert ". . . student instructor training from a board approved curriculum . . ."

Section 9

- Page 5, lines 10-13 - Omit "There are no schools in Southeast Alaska at the present time."

Section 10

- Page 5, line 18 - Omit "or a proctor." The 'committee of the board' mentioned in line 17 consists of proctors. Line 18 is redundant.

Section 11

- Page 5, line 21 - Change "an" to "the." There are two examinations under AS 08.13.090, a written and a practical.

Section 14

- Page 7, line 8 - Add colon ":" after "apply to."
Page 7, line 12 - Language used here is too broad. Professional products sold from supply warehouse stores also carry "chemicals available to the general public."
lines 14-15 - Delete. The amendment as proposed is limited to medical doctors only. AS 08.64 defines "practice of medicine." Keep "A shampoo person."

Section 16

- Page 7, line 27 - Change "to a" to "by a."

Section 18

- Page 8, line 15 - Change reference "AS 08.01.080" to "AS 08.01.065" to reflect the Occupational Licensing Fee Bill.

Section 20

- Page 9, lines 13-21 - Omit. The board should not be involved in setting civil penalties. Civil penalties are determined by the Supreme Court of the State and the Legislature.

Section 21

- Page 9, line 26 - Change "Health and Social Services" to "Environmental Conservation."

Section 22

- Page 10, line 12 - Delete "mechanical or electrical"
line 14 - Change "on the human body;" to "on the head and neck of a client . . ."
line 15 - Add ". . . for a fee, donation or gratuities;".

Original sponsors: Rodey, Fahrenkamp
and Kerttula

1 IN THE SENATE

BY THE LABOR AND
COMMERCE COMMITTEE

2 CS FOR SENATE BILL NO. 218 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act extending the termination date of the Board
7 of Barbers and Hairdressers; and providing for an
8 effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 * Section 1. AS 08.03.010(c)(16) is amended to read:

11 (16) Board of Barbers and Hairdressers (AS 08.13.010) --
12 June 30, 1986 [1984].

13 * Sec. 2. This Act takes effect immediately in accordance with AS 01.-
14 10.070(c).