



NOTICE OF PUBLIC HEARING

Acting under the authority of the Ohio Revised Code Sections 119.03, the Ohio State Board of Cosmetology hereby announces a public hearing will be held on Monday, January 8, 2018 at 9:00 a.m. in the Board Room, 1929 Gateway Circle, Grove City, Ohio. This is a statement of the agency's intention to promulgate the following rules:

New Rules

- **4713-15-03:** Disinfection of implements and spills; blood and body fluids.
Purpose: The new rule is being proposed to replace proposed rescinded rule OAC 4713-15-03. This rule removes unnecessary or redundant language.
- **4713-15-17:** Rooms used for massage therapy, cosmetic therapy, or other professional services.
Purpose: Section 4713.08 (A)(12) of the Revised Code requires the Board to establish standards for the provision of cosmetic therapy, massage therapy, or other professional services in a salon. The proposed new rule establishes those standards by requiring such practices to provide services in accordance with their enabling regulations and comply with the safety and sanitation requirements under Chapter 4713-15 of the Administrative Code for cosmetology services.
- **4713-19-01:** Application process and fee requirements.
Purpose: The proposed new rule sets forth the application process, as required by R.C. 4713.08(A)(16), and incorporates the required fee language currently found in O.A.C. 4713-19-03.
- **4713-19-04:** Installation of equipment.
Purpose: The proposed new rule simplifies and clarifies the rule by eliminating unnecessary language, and includes standards for chemical tanning products and cosmetic, visible light products.
- **4713-19-05:** Facility and equipment operation.
Purpose: The new rule reorganizes the rule to simplify and clarify the rule, eliminates unnecessary language, and includes standards for chemical tanning facilities.
- **4713-19-08:** Resident tanning facilities.
Purpose: The proposed new rule simplifies and clarifies the existing rule, which the Board is proposing to rescind.

Amended Rules

- **4713-1-01:** Definitions.
Purpose: The amended rule adds a definition for the term "Active bleach", removes "Non-porous implement" and "Porous implement" from the definition of "Implement" and defined the terms in more general language, and revises and/or simplifies the definitions for several other terms.
- **4713-6-02:** Eligible participants.

Purpose: The proposed amendment inserts a provision that limits eligible internship hours to ten percent of the total program hours.

- **4713-7-09:** Out of state license holder applications for Ohio licenses.

Purpose: The rule is being amended to comply with Am. Sub. S.B. 213 by removing references to the “managing” licenses and to clarify the rule by correcting grammatical errors and adding clarifying language. The proposed rule also adds revised requirements for reciprocity.

- **4713-8-03:** Standards relating to competent practice as a cosmetologist.

Purpose: The rule was previously amended to create uniformity between the rules. A citation error was caught in paragraph (D) that incorrectly referenced paragraph (MM) of rule 4713-1-01, instead of paragraph (KK) of rule 4713-1-01. The rule is being further amended to include language permitting alternative conditions to the application of chemical peels solutions identified in paragraph (I), and to clarify and simplify language throughout the rest of the rule.

- **4713-8-04:** Standards relating to competent practice as an esthetician.

Purpose: The rule was previously amended to create uniformity between the rules. A citation error was caught in paragraph (D) that incorrectly referenced paragraph (MM) of rule 4713-1-01, instead of paragraph (KK) of rule 4713-1-01. The rule is being further amended to correct a typographical error in paragraph (C)(4), to include language permitting alternative conditions to the application of chemical peels solutions identified in paragraph (I), and to clarify and simplify language throughout the rest of the rule.

- **4713-8-05:** Standards relating to competent practice as a hair designer.

Purpose: The rule was previously amended to create uniformity between the rules. A citation error was caught in paragraph (D) that incorrectly referenced paragraph (MM) of rule 4713-1-01, instead of paragraph (KK) of rule 4713-1-01. The rule is being further amended to simplify the language in paragraph (D).

- **4713-8-06:** Standards relating to competent practice as a natural hair stylist.

Purpose: The rule was previously amended to create uniformity between the rules. A citation error was caught in paragraph (D) that incorrectly referenced paragraph (MM) of rule 4713-1-01, instead of paragraph (KK) of rule 4713-1-01. The rule is being further amended to simplify the language in paragraph (D).

- **4713-8-07:** Standards relating to competent practice as a manicurist.

Purpose: The rule was previously amended to create uniformity between the rules. A citation error was caught in paragraph (D) that incorrectly referenced paragraph (MM) of rule 4713-1-01, instead of paragraph (KK) of rule 4713-1-01. The rule is being further amended to simplify the language in paragraph (D).

- **4713-11-10:** Services that may be provided in a salon.

Purpose: Paragraph (A) is being amended to clarify the rule and to align the rule with the Board’s authority under statute.

- **4713-15-01:** General infection control.

Purpose: The rule is being modified throughout for clarification and to remove unneeded language.

- **4713-15-02:** Methods of disinfection.

Purpose: The rule is being amended to refer to the definition of “appropriate disinfectant,” which removes redundancy and simplifies the rule.

- **4713-15-04:** Shampoo bowls.

Purpose: The rule is being amended to simplify and clarify the rule by eliminating unnecessary language and referencing the definition of appropriate disinfectant.

- **4713-15-06:** Use of creams.
Purpose: The rule is being amended to simplify and clarify the rule by eliminating unnecessary language and referencing the definition of appropriate disinfectant.
- **4713-15-07:** Use of styptics.
Purpose: The rule is being amended to simplify the rule and eliminate unnecessary language.
- **4713-15-09:** Use of powder.
Purpose: The rule is being amended to simplify the rule and eliminate unnecessary language.
- **4713-15-10:** Walls and floors.
Purpose: The rule is being amended to simplify and clarify the rule by eliminating unnecessary language, and to ensure public safety.
- **4713-15-11:** Proper laundering methods.
Purpose: The rule is being amended to remove items exposed to blood and body fluids, which must be discarded in accordance with proposed amended rule 4713-15-03. The amendments also eliminate the requirement to use bleach during laundering.
- **4713-15-13:** Contagious/communicable diseases.
Purpose: The rule is being proposed for amendment to align with national best practices, and to correct a typographical error.
- **4713-15-15:** Equipment sanitation.
Purpose: The rule is being amended to simplify and clarify the rule by eliminating unnecessary language.
- **4713-19-02:** Definitions.
Purpose: The rule is being amended to include definitions for “Chemical tanning”, “Chemical tanning booth”, and “Chemical airbrush” in accordance with the definition of “Tanning facility” contained in R.C. 4713.01. The amendments also clarify and simplify other definitions contained in the rule.
- **4713-19-06:** Infection control.
Purpose: The rule is being amended to simplify and clarify infection control standards, and to maintain consistency with infection control procedures found in Chapter 4713-15 of the administrative code.
- **4713-19-09:** Maintaining records for sunlamp product services.
Purpose: This rule is being amended to simplify and clarify the rule by eliminating unnecessary language, and to eliminate redundancy. Additionally, the Board amended paragraph (D) to address biometric devices in tanning facilities that are used for the purpose of signing in patrons and not documenting user consent or device warning.
- **4713-19-10:** Tanning equipment posing safety risks.
Purpose: This rule is being amended to simplify and clarify the rule by eliminating unnecessary language.
- **4713-19-13:** Termination of tanning services in salons.
Purpose: This rule is being amended to remove unnecessary language, and to ensure that Board receives notice and can maintain updated records for the purpose of inspection.
- **4713-19-14:** Training of operators.
Purpose: This rule is being amended to simplify and clarify the rule by eliminating unnecessary and/or confusing language, and to ensure consistency with other proposed revisions to the chapter.

Rescinded Rules

- **4713-15-03:** Disinfection of implements and spills; blood and body fluids.
Purpose: The current rule is being proposed for rescission based upon the total changes required to update and revise the rule. A new rule is being proposed.
- **4713-15-08:** Special solution containers.
Purpose: The Board is proposing to rescind this rule. Based upon amendments to other exiting rules in Chapter 4713-15, the rule is not necessary.
- **4713-15-17:** Rooms used for massage.
Purpose: The Board is proposing to rescind this rule because practices noted are not within the Board's jurisdiction to regulate.
- **4713-19-01:** Necessity of permit.
Purpose: The current rule is proposed to be rescinded and replaced with a new rule.
- **4713-19-03:** Permit fees.
Purpose: This rule is proposed to be rescinded and its fee language moved to O.A.C. 4713-19-01.
- **4713-19-04:** Installation of equipment.
Purpose: The current rule is proposed to be rescinded and replaced with a new rule.
- **4713-19-05:** Operation of equipment.
Purpose: The current rule is proposed to be rescinded and replaced with a new rule.
- **4713-19-08:** Resident tanning facilities.
Purpose: The current rule is proposed to be rescinded and replaced with a new rule.
- **4713-19-12:** Change of ownership.
Purpose: This rule is proposed to be rescinded since its language is duplicative of other rules and unnecessary. The full text of the rules is available on The Board's website, and can be accessed at: <http://www.cos.ohio.gov/rulereview.php> (You may access each rule under this section individually).

On the date and at the time and place designated in this notice, any person affected by the proposed action of the Ohio State Board of Cosmetology may appear and be heard in person, by his/her attorney, or both; may present his/her position, arguments, or contentions orally or in writing; offer witnesses; and, present evidence tending to show that any proposal, if adopted or effectuated, will be unreasonable or unlawful.