



GEORGIA STATE BOARD OF COSMETOLOGY AND BARBERS
Secretary of State
Professional Licensing Boards Division

NOTICE OF INTENT TO ADOPT PROPOSED RULE AND NOTICE OF PUBLIC HEARING
RULE CHAPTER 240-11 APPLICATION BY ENDORSEMENT

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Cosmetology and Barbers (hereinafter "Board") proposes to adopt the following rule: 240-11-.01 APPLICANTS SEEKING LICENSURE BY ENDORSEMENT.

This notice, together with an exact copy of the synopsis of the proposed rule, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice and a synopsis of the proposed rule may be reviewed during normal business hours (8:00 am to 5:30 pm Monday through Friday, except official State holidays) at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's web page at www.sos.ga.gov/plb/cosmetology. Copies may also be requested by contacting the Georgia State Board of Cosmetology and Barbers at (478) 207-2440.

Any interested party affected by the rule may present comments to the Board no later than June 20, 2016. Written comments should be addressed to Lisa Durden, Director, Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217. Comments may be submitted by fax to 1-866-888-1176.

A public hearing is scheduled to begin at 9:00 a.m. on June 27, 2016 at the Professional Licensing Boards Division, located at 237 Coliseum Drive, Macon, Georgia to provide the public an opportunity to comment upon and provide input into the proposed rule.

The Board voted to adopt this Notice of Intent at its March 7, 2016 meeting. The Board also voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §43-10-2(d), which requires the Board to regulate the practice of cosmetology and barbering in this state. Finally, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§43-1-34, 43-10-2, and 43-10-9 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, or owned and operated and dominant in the field of cosmetology and barbering.

The proposed rule will be considered for adoption by the Georgia State Board of Cosmetology and Barbers at its meeting scheduled to begin at 9:00 a.m. June 27, 2016 at the Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia 30217. According to the Department of Law, State of Georgia, the Georgia State Board of Cosmetology and Barbers has the authority to adopt the proposed rules for Chapter 240, pursuant to authority contained in O.C.G.A. §§43-1-34, 43-10-2, and 43-10-9.



For further information, contact the Board office at 478-207-2440.
This notice is given in compliance with O.C.G.A. § 50-13-4.

This 27 day of May, 2016.

A handwritten signature in blue ink that reads "Lisa W. Durden".

Lisa Durden
Division Director
Professional Licensing Boards Division

Posted: 27 MAY 16

GEORGIA STATE BOARD OF COSMETOLOGY AND BARBERS

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SYNOPSIS OF PROPOSED RULES

CHAPTER 240-11 APPLICATION BY ENDORSEMENT

Purpose: The passage of House Bill 314 by the Georgia General Assembly and signed into law by the Governor effective July 1, 2015 combined the former Georgia Board of Barbers and the former Georgia Board of Cosmetology into a single, combined board, the Georgia State Board of Cosmetology and Barbers. The new Board must adopt new rules for Chapter 240 prior to July 1, 2016.

240-11-.01 APPLICANTS SEEKING LICENSURE BY ENDORSEMENT: This proposed rule establishes requirements for licensure via endorsement - an applicant for individual licensure may apply by endorsement by submitting an application, paying a fee, and submitting verification the he or she holds an active license in another state or territory of the United States.

Main Feature: The new proposed chapter identifies application by endorsement standards, rules, and regulations as required by the Georgia State Board of Cosmetology and Barbers.

Rule 240-11-.01 Applicants Seeking Licensure by Endorsement

- (1) Any person licensed in another state desiring to apply for a license or instructor license in cosmetology, barber, barber II, hair design, esthetics, or nail care in the State of Georgia is required to make application using the form furnished by the Georgia State Board of Cosmetology and Barbers, to submit the required application processing fee(s) which is non-refundable, and to show by such application that applicant has met all the requirements of the law and rules of the Board. When such application for endorsement for the appropriate licensing level is properly filled out and returned to the Board, it shall be accompanied by the following:
 - (a) for applicants that can provide proof of passing both a written and practical national or state approved examination in English, and:
 - (i) proof of attaining at least 17 years of age;
 - (ii) a copy of a high school diploma, general educational development (GED) diploma, or a postsecondary education or college degree;
 - (iii) be of good moral character;
 - (iv) verification of a license issued by another state or territory that is currently active and in good standing at the appropriate level for the type of license being applied for;
 1. if the state verification does not indicate the examination was administered in English, the Board may accept a sworn statement from the applicant that the exam was taken in English;
 2. if the verification for the license was issued by the other state or territory based on reciprocity or endorsement, applicant shall submit a verification for the state in which the original license was issued;

3. if the applicant has been licensed in multiple states, a verification from all states the applicant has been licensed in shall be submitted and shall indicate that no board orders or unpaid citations exist in those states.
- (b) for applicants that cannot provide proof of passing both a written and practical national or state approved examination in English, the Board may, upon all other requirements of 240-11, issue a letter of exam eligibility, and:
 - (i) applicants who are made eligible under this section shall not be allowed to take the exam more than three times without passing
 - (ii) upon passing the national examination in English the Board may issue a license.
 - (c) effective July, 2016 for applicants of good moral character that can provide proof of active duty as a U.S. Military service member, transitioning service member, or separation leave within 24 months of retirement or 12 months of separation, or provide proof that the applicant is a spouse of these service members, the Board may issue a license provided:
 - (i) the applicant holds a valid, active license from another state, or;
 - (ii) the applicant obtained a specialty, certification, training, or experience in the military while a service member which substantially meets or exceeds the requirements to obtain a license in this state.

Authority: O.C.G.A. 43-1-34, 43-10-2, 43-10-9



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RULES CHAPTER 240-11 APPLICATION BY ENDORSEMENT

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 - (iv) verification of a license issued by another state or territory that is currently active and in good standing at the appropriate level for the type of license being applied for;
 1. if the state verification does not indicate the examination was administered in English, the Board may accept a sworn statement from the applicant that the exam was taken in English;
 2. if the verification for the license was issued by the other state or territory based on reciprocity or endorsement, applicant shall submit a verification for the state in which the original license was issued;
 3. if the applicant has been licensed in multiple states, a verification from all states the applicant has been licensed in shall be submitted and shall indicate that no board orders or unpaid citations exist in those states.
 - (b) for applicants that cannot provide proof of passing both a written and practical national or state approved examination in English, the Board may, upon all other requirements of 240-11, issue a letter of exam eligibility, and:
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Authority: O.C.G.A. 43-1-34, 43-10-2, 43-10-9