



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

CHAPTER 240-3 CONTINUING EDUCATION

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: 240-3-.01 CONTINUING EDUCATION REQUIREMENTS.

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 May 27, 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. §§43-10-2, 43-10-10, and 43-10-12 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. §§43-10-2, 43-10-10, and 43-10-12.



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, appearing to read "Lisa Durden", written over a horizontal line.

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 RULE

CHAPTER 240-3 CONTINUING EDUCATION

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.

240-3-.01 CONTINUING EDUCATION REQUIREMENTS: This proposed rule establishes requirements and procedures for continuing education.

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

Rule 240-3-.01 Continuing Education Requirements

- (1) Number of Continuing Education Hours Required for Renewal or Reinstatement of Licenses.
 - (a) In order to renew a license, each licensee shall provide to the Board proof of completion a total of five (5) continuing education (CE) hours in a form acceptable to the Board as follows:
 1. Three (3) hours of the total five (5) hours must be satisfied by a course in health and safety developed or approved by the Board. A health and safety course or program that meets or exceeds the three (3) hours that has been developed and offered through a college, university department, or division of continuing education of the Department of Education, the Technical College System of Georgia, the Board of Regents, or The American Red Cross may be accepted by the Board without prior approval.
 2. Two (2) hours of the total five (5) hours must be in a course previously registered with the Board in any of the following areas:
 - (i) industry or trade show;
 - (ii) health and safety;
 - (iii) industry trends;
 - (iv) computer skills;
 - (v) business management;
 - (vi) the area of practice for the type of license held by the licensee.
 - (b) If audited, the licensee shall submit written proof from the CE provider of attendance and/or completion of each CE course submitted for credit.
 - (c) In order to reinstate a lapsed license after expiration, the applicant shall pay all fees required by law or rule, including the reinstatement fee(s), and shall submit documentation of completion of 5 CE hours for the first lapsed period, ten (10) CE hours for the second lapsed period, and fifteen (15) CE hours for periods longer than four years. A license shall be issued upon completion of all requirements of the laws and rules.



- (2) Exemption from CE Requirements for Active licenses (see O.C.G.A. § 43-10-10).
- (a) A licensee that meets any of the following exemptions shall not be required to complete the CE requirements set out in this Rule:
1. the holder of a license who is renewing a license for the first time shall not be required to meet the CE requirements;
 2. licensees who have held a license for 25 years or more and can submit documentation thereof to the satisfaction of the Board;
 3. licensees who claim an exemption shall submit to the Board a written request together with proof of any one of the following:
 - (i) active duty service members in the National Guard or U.S. military; active duty Reservists in the National Guard or U.S. military;
 - (ii) transitioning service members of the National Guard or U.S. military on separation leave who is within 24 months of retirement or 12 months of separation;
 - (iii) age by documentation or proof of attainment of age 65 or older;
 - (v) disability, medical or otherwise; a documented permanent disability, copy of an award letter of disability benefits such as Social Security, or federal railroad retirement;
 - (vi) illness or temporary disability documented by the appropriate licensed medical physician or specialist stating the disability, anticipated duration and physical or mental limitation(s);
 - (vii) other hardship circumstances as the Board may determine on a case by case basis. Hardship requests shall require a written, sworn statement, signed by the licensee before a notary public, setting out the facts supporting the hardship claimed. An exemption request form may be obtained from the Board or a written request may be submitted in letter form.
- (3) The CE requirements in this Rule for Master Barber, barber II licenses and Barber Instructor shall be required beginning with the 2018 renewal year and for all subsequent renewals.
- (4) All instructors of cosmetology, hair design, barber, barber II, esthetics and nail technology, seeking renewal of licenses, must submit, with renewal of application to the Board, proof of completion of fifteen (15) hours of continuing education in the cosmetology profession approved by the Board since the last renewal of the instructor's license.
- (a) At least half of the fifteen (15) total hours shall be in teaching techniques, lesson planning, or other advanced teacher training.
 - (b) Each course or program requires prior Board approval under Rule 240-3-.02.

Authority: O.C.G.A. 43-10-2, 43-10-10, 43-10-12

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RULES CHAPTER 240-3 CONTINUING EDUCATION

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 2. Two (2) hours of the total five (5) hours must be in a course previously registered with the Board in any of the following areas:
 - (i) industry or trade show;
 - (ii) health and safety;
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 - (iv) computer skills;
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 - (vi) the area of practice for the type of license held by the licensee.
 - (b) If audited, the licensee shall submit written proof from the CE provider of attendance and/or completion of each CE course submitted for credit.
 - (c) In order to reinstate a lapsed license after expiration, the applicant shall pay all fees required by law or rule, including the reinstatement fee(s), and shall submit documentation of completion of 5 CE hours for the first lapsed period, ten (10) CE hours for the second lapsed period, and fifteen (15) CE hours for periods longer than four years. A license shall be issued upon completion of all requirements of the laws and rules.
- (2) Exemption from CE Requirements for Active licenses (see O.C.G.A. § 43-10-10).
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 1. the holder of a license who is renewing a license for the first time shall not be required to meet the CE requirements;
 2. licensees who have held a license for 25 years or more and can submit documentation thereof to the satisfaction of the Board;



3. licensees who claim an exemption shall submit to the Board a written request together with proof of any one of the following:
 - (i) active duty service members in the National Guard or U.S. military; active duty Reservists in the National Guard or U.S. military;
 - (ii) transitioning service members of the National Guard or U.S. military on separation leave who is within 24 months of retirement or 12 months of separation;
 - (iii) age by documentation or proof of attainment of age 65 or older;
 - (v) disability, medical or otherwise; a documented permanent disability, copy of an award letter of disability benefits such as Social Security, or federal railroad retirement;
 - (vi) illness or temporary disability documented by the appropriate licensed medical physician or specialist stating the disability, anticipated duration and physical or mental limitation(s);
 - (vii) other hardship circumstances as the Board may determine on a case by case basis. Hardship requests shall require a written, sworn statement, signed by the licensee before a notary public, setting out the facts supporting the hardship claimed. An exemption request form may be obtained from the Board or a written request may be submitted in letter form.
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 - (a) At least half of the fifteen (15) total hours shall be in teaching techniques, lesson planning, or other advanced teacher training.
 - (b) Each course or program requires prior Board approval under Rule 240-3-.02.

Authority: O.C.G.A. 43-10-2, 43-10-10, 43-10-12