

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 250 Department or Agency: Board of Cosmetology and Barbering
Rule No. 250-X-6-.01(5)
Rule Title: Candidate Examinations
 New Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

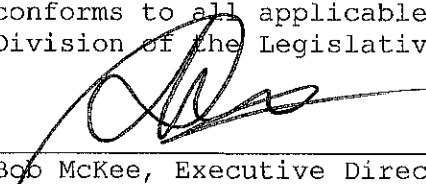
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.


Bob McKee, Executive Director

Date May 13, 2016

(DATE FILED)
(STAMP)

ALABAMA BOARD OF COSMETOLOGY

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Cosmetology and Barbering

RULE NO. & TITLE: 250-X-6-.01(5) Candidate Examinations

INTENDED ACTION: To amend this rule.

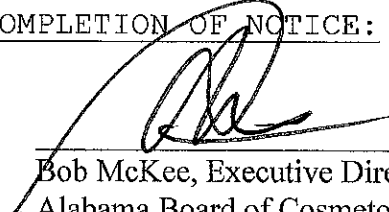
SUBSTANCE OF PROPOSED ACTION: To delete one-year window for enrolling in refresher class.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Interested persons may present comments in writing at any time during the thirty-five (35) day period following publication of this notice to Bob McKee, Executive Director of the Alabama Board of Cosmetology, 100 North Union St., Suite 320, Montgomery, AL 36130-1750. Comments may be presented in person or orally to the Executive Director at the above address on Friday, July 8, 2016 at 10:00 AM. Requests for comments in person must be submitted in writing in advance. Copies of proposed rule changes are available at the Executive Director's office at 334-242-1918.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: July 8, 2016

CONTACT PERSON AT AGENCY:


Bob McKee, Executive Director
Alabama Board of Cosmetology
RSA Union Building
100 North Union St., Suite 320
Montgomery, AL 36130-1750

250-X-6 Examinations

250-X-6-.01 Candidate Examinations.

(1) Candidates for licensure must meet requirements of this chapter, make application, pay the appropriate examination fee and pass the appropriate examination.

(2) Candidates furnishing proof of eligibility for licensure examination must receive a temporary work permit before performing services for the public.

(3) Candidates failing the prescribed written or practical examination shall be entitled to two additional attempts.

(4) Candidates failing an exam on the third attempt shall take the following action:

(A) Barbers, cosmetologists, estheticians manicurists and instructors shall complete 375 hours of training in school before reapplying for examination.

(B) Natural hair stylists and waxers shall complete 75 hours of training in school before reapplying for examination.

~~(5) Candidates must enroll for the required additional training within one (1) year of notification of last failure of the appropriate examination or complete the full original requirements of training for licensure.~~

~~(5) (6)~~ Candidates for licensure must furnish their own supplies and implements for any practical examination.

~~(6) (7)~~ A grade of at least 70% is required to pass licensure examinations, except for instructor examinations which require a grade of at least 80% to pass.

~~(7) (8)~~ Candidates who cancel a scheduled examination or fail to appear for a scheduled examination must pay a rescheduling fee unless the cancellation or failure to appear was caused by an emergency or act of God.

~~(8) (9)~~ No member of the board may attend rater training for candidate examinations or actively participate in rating candidates.

Author: McKee

Statutory Authority: *Code of AL 1975, § 34-7B-7-c(2)d*

History: Filed Oct. 25, 2013; Effective Nov. 29, 2013

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