

OKLAHOMA STATE BOARD OF COSMETOLOGY

DECEMBER 16, 2013

RULEMAKING ACTION:

Rule Impact Statement – Chapter 1

BRIEF DESCRIPTION OF THE PURPOSE OF THE PROPOSED RULES:

The proposed amendments and new rule relate to requirements after effective date of House Bill 1467 which combined the Barber Advisory Board and the State Board of Cosmetology. The Board is proposing to amend the rules and add a new rule in order to continue the regulation of the two professions and to ensure the protection of the public when cosmetology and barbering services are performed on the public by regulation sanitation and safety procedures and ensuring that practitioners are appropriately trained, tested and licensed.

DESCRIPTION OF THE CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE, INCLUDING CLASSES THAT WILL BEAR THE COSTS OF THE PROPOSED RULE, AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:

Licensees of both professional will be affected and the by the proposed rules but it is anticipated that it will be a positive change to help the professions grow.

DESCRIPTION OF THE CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES:

Licensees from both professions will have a voice on one Board. All representatives of the Board are appointed by the Governor.

DESCRIPTION OF THE PROBABLE ECONOMIC IMPACT OF THE PROPOSED RULES UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS, INCLUDING A LISTING OF ALL FEE CHANGES AND, WHENEVER POSSIBLE, A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:

There may be a minimal economic impact (if any) if the proposed rules become effective upon cosmetology establishments and licensees but the cost for compliance will be minimal.

PROBABLE COSTS AND BENEFIT TO THE AGENCY AND TO ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE, THE SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE, AND ANY ANTICIPATED EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES IF IT CAN BE PROJECTED BY THE AGENCY:

There are no anticipated additional costs in implementing the proposed rule changes. There is no anticipated effect on state revenues.

DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISIONS OR REQUIRE COOPERATION IN IMPLEMENTING OR ENFORCING THE RULE:

There is no economic impact on any political subdivision from the proposed rules, and cooperation from any political subdivision is not required in implementing or enforcing the proposed rules.

EXPLANATION OF THE MEASURES THE AGENCY HAS TAKEN TO MINIMIZE COMPLIANCE COSTS AND A DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY METHODS OR LESS INTRUSIVE METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULE:

There are no anticipated additional costs for complying with the proposed rule changes. There is no less costly, nonregulatory method or less intrusive method for achieving the purpose of the proposed rules.

DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND, IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE

PUBLIC HEALTH, SAFETY AND ENVIRONMENT, AN EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:

There will be a positive effect on the public health and general welfare of consumers of cosmetology and barbering services because the proposed rules will protect them by reducing the risk of transmitting disease by requiring higher standards of sanitation and disinfection and eliminating chance of physical harm by adopting barber fines for violations and applying them to all licensees.

DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:

There may be a detrimental effect on the public health and safety of consumers of cosmetology services if the proposed rules are not implemented. The agency believes there is a need to propose more stringent rules for sanitation, disinfection and safety in cosmetology establishments based on the rising number of complaints received from consumers and that it apply to all licensees.

DATE THE RULE IMPACT STATEMENT WAS PREPARED:

December 16, 2013

OKLAHOMA STATE BOARD OF COSMETOLOGY

DECEMBER 16, 2013

RULEMAKING ACTION:

Rule Impact Statement – Chapter 10

BRIEF DESCRIPTION OF THE PURPOSE OF THE PROPOSED RULES:

The proposed amendments and new rule relate to requirements after effective date of House Bill 1467 which combined the Barber Advisory Board and the State Board of Cosmetology. The Board is proposing to amend the rules and add a new rule in order to continue the regulation of the two professions and to ensure the protection of the public when cosmetology and barbering services are performed on the public by regulation sanitation and safety procedures and ensuring that practitioners are appropriately trained, tested and licensed.

DESCRIPTION OF THE CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE, INCLUDING CLASSES THAT WILL BEAR THE COSTS OF THE PROPOSED RULE, AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:

The only known business entities that may be affected by these rules are barber establishments. There may be some direct costs to implement but the costs will be minimal. They will now be required to obtain an establishment license if they do not already have one and are not already employing cosmetologists. This will ensure that licensees comply with the sanitation and disinfectant standards and the public is not harmed when professional services are performed on the public. The direct cost will be minimal to implement this requirement and the Board will allow time for establishments to be in compliance with the new licensing requirement.

DESCRIPTION OF THE CLASSES OF PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULES:

Licensees from both professions will have a voice on one Board. All representatives of the Board are appointed by the Governor. The proposed rules combine the requirements of both licensing boards into one.

DESCRIPTION OF THE PROBABLE ECONOMIC IMPACT OF THE PROPOSED RULES UPON AFFECTED CLASSES OF PERSONS OR POLITICAL SUBDIVISIONS, INCLUDING A LISTING OF ALL FEE CHANGES AND, WHENEVER POSSIBLE, A SEPARATE JUSTIFICATION FOR EACH FEE CHANGE:

There may be a minimal economic impact (if any) if the proposed rules become effective upon cosmetology establishments and licensees but the cost for compliance will be minimal.

PROBABLE COSTS AND BENEFIT TO THE AGENCY AND TO ANY OTHER AGENCY OF THE IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE, THE SOURCE OF REVENUE TO BE USED FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE, AND ANY ANTICIPATED EFFECT ON STATE REVENUES, INCLUDING A PROJECTED NET LOSS OR GAIN IN SUCH REVENUES IF IT CAN BE PROJECTED BY THE AGENCY:

There are no anticipated additional costs in implementing the proposed rule changes. There is no anticipated effect on state revenues.

DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISIONS OR REQUIRE COOPERATION IN IMPLEMENTING OR ENFORCING THE RULE:

There is no economic impact on any political subdivision from the proposed rules, and cooperation from any political subdivision is not required in implementing or enforcing the proposed rules.

EXPLANATION OF THE MEASURES THE AGENCY HAS TAKEN TO MINIMIZE COMPLIANCE COSTS AND A DETERMINATION OF WHETHER THERE ARE LESS COSTLY OR NONREGULATORY METHODS OR LESS INTRUSIVE METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULE:

There are no anticipated additional costs for complying with the proposed rule changes. There is no less costly, nonregulatory method or less intrusive method for achieving the purpose of the proposed rules.

DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT AND, IF THE PROPOSED RULE IS DESIGNED TO REDUCE SIGNIFICANT RISKS TO THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT, AN EXPLANATION OF THE NATURE OF THE RISK AND TO WHAT EXTENT THE PROPOSED RULE WILL REDUCE THE RISK:

There will be a positive effect on the cosmetology and barbering industries. The proposed rules will allow both professions to work more closely together and follow the same sanitary and safety standards and yet the professions can still keep their licensing identities.

DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY AND ENVIRONMENT IF THE PROPOSED RULE IS NOT IMPLEMENTED:

There will be a detrimental effect on both industries if the proposed rules were not approved. Currently, the Barbers have much less rules for sanitation and safety and the proposed rules will more positively protect the consumer and be the same for both professions.

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