

**TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING
CHAPTER 10. LICENSURE OF COSMETOLOGISTS, BARBERS, SCHOOLS AND
RELATED ESTABLISHMENTS**

EMERGENCY RULEMAKING ACTION:

Rule Report

NAME AND ADDRESS OF AGENCY:

Oklahoma State Board of Cosmetology and Barbering; 2401 NW 23rd Street, Suite 84,
Oklahoma City, OK 73107.

TITLE AND NUMBER OF RULES:

Subchapter 3. Licensure of Schools

175:10-3-16 [AMENDED]

175:10-3-34 [AMENDED]

175:10-3-37 [AMENDED]

175:10-3-38 [AMENDED]

175:10-3-39 [AMENDED]

175:10-3-41 [AMENDED]

175:10-3-42 [AMENDED]

175:10-3-43 [AMENDED]

175:10-3-44 [AMENDED]

175:10-3-45 [AMENDED]

175:10-3-46 [AMENDED]

175:10-3-55 [AMENDED]

CITATION TO THE STATUTORY AUTHORITY FOR THE RULE:

59 O.S. § 199.3(A); State Board of Cosmetology and Barbering

CITATION TO THE STATUTE REQUIRING THE RULE:

59 O.S. § 199.7.

BRIEF SUMMARY OF THE CONTENT OF THE ADOPTED RULE:

The proposed rules reinstate language complying with 59 O.S. § 199.7 regarding student contracts and the calculation of credit hours offered by cosmetology and barber schools.

STATEMENT EXPLAINING THE NEED FOR THE ADOPTED RULE:

The Board promulgated rules that were finally adopted on June 13, 2017. However, in anticipation of legislative changes that did not materialize, some of the amended rules deleted language which rendered parts of the rules inconsistent with the student contract and credit hour requirements of 59 O.S. § 199.7 of the Oklahoma Cosmetology and Barbering Act. The proposed emergency rules restore the deleted language so that the rules come back into compliance with Section 199.7.

DATE AND LOCATION WHEN THE RULES WERE ADOPTED:

September 11, 2017. Oklahoma State Board of Cosmetology and Barbering, 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107.

SUMMARY OF THE COMMENTS AND EXPLANATION OF CHANGES OR LACK OF ANY CHANGE MADE IN THE ADOPTED RULES:

N/A

LIST OF PERSONS OR ORGANIZATIONS WHO APPEARED OR REGISTERED FOR OR AGAINST THE ADOPTED RULE AT ANY PUBLIC HEARING OR THOSE WHO HAVE COMMENTED IN WRITING:

N/A

LEGAL ADVISOR AND STAFF PRESENT AT PUBLIC HEARING:

Grant Moak, Assistant Attorney General

Sherry Lewelling, Executive Director, Oklahoma State Board of Cosmetology and Barbering

John Funderburk, Principal Assistant, Oklahoma State Board of Cosmetology and Barbering

RULE IMPACT STATEMENT:

The Rule Impact Statement is attached.

INCORPORATION BY REFERENCE STATEMENT:

N/A

MEMBERS OF THE GOVERNING BOARD OF THE AGENCY ADOPTING THE RULES AND THE RECORDED VOTE OF EACH MEMBER:

Anthony Baldini, Christy Mather, A. Lafaye Austin, Ken Young, Gretchen Payne, Max Thomas. All members voted "Aye."

PROPOSED EFFECTIVE DATE:

The adopted rules will be effective immediately upon approval by the Governor.

FINDING OF EMERGENCY:

The rule is necessary as an emergency measure pursuant to 75 O.S. § 253(A)(1)(c) to avoid a violation of state law, namely, 59 O.S. § 199.7.

GIST/ANALYSIS:

The rules restore language deleted this past rulemaking session regarding student contracts and the calculation of credit hours in cosmetology and barber schools. Deletion of the language rendered the rules inconsistent with statutory requirements provided for in 59 O.S. § 199.7. Restoring the deleted language brings the rules back into compliance § 199.7.