

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Board of Barber Examiners

Department Department of Labor and Licensing

Contact Phyllis Jacobsen E-mail phyllis.jacobsen@arkansas.gov Phone 501-682-4035

Statutory Authority for Promulgating Rules Ark Code Ann 17-20-206 (a)

Rule Title: Rules for Board of Barber Examiners

Intended Effective Date

(Check One)

Date

<input type="checkbox"/> Emergency (ACA 25-15-204)	Legal Notice Published	<u>February 11 - 13, 2022</u>
<input checked="" type="checkbox"/> 10 Days After Filing (ACA 25-15-204)	Final Date for Public Comment	<u>March 12, 2022</u>
<input type="checkbox"/> Other _____ (Must be more than 10 days after filing date.)	Reviewed by Legislative Council	<u>April 22, 2022</u>
	Adopted by State Agency	<u>August 16, 2021</u>

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Phyllis Jacobsen

Phyllis.jacobsen@arkansas.gov

04/26/2022

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Phyllis Jacobsen

Signature

501-682-4035

phyllis.jacobsen@arkansas.gov

Phone Number

E-mail Address

Director

Title

April 26, 2022

Date

State Board of Barber Examiners

RULE 4

E. Objectionable Establishments: No sleeping area shall be permitted in any barber establishment nor shall any part of it be so used. No barber establishment is permitted inside of a residence. Barber establishments may be connected to a residence (i.e. enclosed carport) if all other establishment standards are met. Connecting doors shall be solid and self-closing. No animals or reptiles are to be allowed on the premises, with the exception of medical assistance animals.

RULE 5: MISCELLANEOUS:

G. The Board shall grant a license to an applicant who fulfills the Arkansas requirements for licensure and is a person who holds a Federal Form 1-766 United States Citizenship and Immigration Services-issued Employment Authorization Document, known popularly as a "work permit."

RULE 8: BARBER COLLEGE/BARBER SCHOOL CURRICULUM:

D. The curriculum described in this section may be completed through supervisory learning in a classroom, online, or on a distance education platform for up to fifty percent (50%) of the student's training program as authorized by the United States Department of Education as existed on January 1, 2021

RULE 10: AUTOMATIC LICENSURE UNIFORMED SERVICE VETERANS

A. As used in this subsection, "uniformed service veteran" means a former member of the United States Uniformed Services discharged under circumstances other than dishonorable.

B. The Board shall grant automatic licensure to an individual who is the holder in good standing of a license with a similar scope of practice issued by another state, territory, or district of the U.S. and is:

1. A uniformed service member stationed in the State of Arkansas;
2. A uniformed service veteran who resides in or establishes residency in the State of Arkansas; or
3. The spouse of:
 - a. A person under B (1) or (2) above;
 - b. A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; or
 - c. A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

C. The Board shall grant such automatic licensure upon receipt of all the below:

4. Payment of the initial licensure fee;
5. Evidence that the individual holds a license with a similar scope of practice in another state; and
6. Evidence that the applicant is a qualified applicant under Section B.

RULE 15: PRE-LICENSURE CRIMINAL BACKGROUND CHECK:

B. Waiver Request: If an individual has been convicted of an offense listed in A.C.A. § 17-3-102(a) or (e), the Board may waive disqualification of a potential applicant or revocation of a license based on the conviction if a request for a waiver is made by:

RULE 16: FEES

A. The Board shall charge and collect the following fees:

1. For registration of a new or previously unregistered barber shop, seventy dollars (\$70.00).
2. For the annual renewal of each barber shop registration certificate, fifty dollars (\$50.00).
3. For restoration of an expired barber shop certificate, seventy-five (\$75.00) per year of delinquency.
4. For the examination for a certificate to practice as a registered barber, seventy-five dollars (\$75.00) and for the issuance of a certificate to practice as a registered barber fifty dollars (\$50).
5. For annual renewal of the certificate to practice as a registered barber and for its issuance, fifty dollars (\$50.00).
6. For restoration of an expired certificate (renewal not postmarked by September 1), the fee to practice as a registered barber, seventy-five (\$75.00) per year of delinquency.
7. For the examination to practice as a teacher manager instructor (TMI), eighty dollars (\$80) and for the issuance of a certificate to practice as a teacher manager instructor (TMI), forty dollars (\$40).
8. For annual renewal of the certificate to practice as a teacher manager instructor (TMI) and for its issuance, forty dollars (\$40).
9. For restoration of an expired teacher manager instructor (TMI) certificate (renewal not postmarked by September 1), the fee to practice as a teacher manager instructor (TMI), forty-eight dollars (\$48) per year of delinquency.
10. Examination fee for restoration of an expired barber certificate to a previously registered barber whose license has been expired for more than three (3) years, seventy-five dollars (\$75).

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11. Examination fee for restoration of an expired barber certificate to a previously registered teacher manager instructor whose license has been expired for more than three (3) years, eighty dollars (\$80).
 12. Reciprocity and license fee, one hundred fifty dollars (\$150.00).
 13. For the examination of an applicant for a certificate to practice as a barber technician, thirty-five dollars (\$35.00), and for the issuance of a certificate to practice as a barber technician, thirty-five dollars (\$35.00).
 14. For annual renewal of the certificate to practice as a barber technician, thirty-five (\$35.00).
 15. For restoration of an expired certificate to practice as a barber technician, forty-two dollars (\$42.00).
 16. For a student license fee for one (1) year of barber schooling, twenty-dollars (\$20.00).
 17. Certification of hours or certified correspondence to any other entity, fifty dollars (\$50)
 18. A duplicate certificate will be issued upon the filing the payment of a fee of five dollars (\$5.00) for the issuance of the duplicate certificate. Each duplicate certificate shall have the word "Duplicate" stamped across the face thereof and will bear the same number as the certificate that it was issued in lieu of.
- B. The Board shall waive the initial fee if the applicant:
1. Is receiving assistance through the Arkansas Medicaid Program; the Supplemental Nutrition Assistance Program; the Special Supplemental Nutrition Program for Women, Infants, and Children; the Temporary Assistance for Needy Families Program; or the Lifeline Assistance Program;
 2. Was approved for unemployment within the last twelve (12) months; or
 3. Has an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.