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**OFFICE OF THE LIEUTENANT GOVERNOR
ALASKA**

M E M O R A N D U M

TO: Debbie Morgan
Department of Commerce, Community and Economic Development

FROM: April Simpson, Office of the Lieutenant Governor 
465.4081

DATE: February 28, 2019

RE: Filed Permanent Regulations: Board of Barbers and Hairdressers

Board of Barbers and Hairdressers regulations re: qualifications for licensure, particularly for new license types and to reflect the split of tattooing and permanent cosmetic coloring into separate license types (12 AAC 09)

Attorney General File:	2018200925
Regulation Filed:	2/28/2019
Effective Date:	3/30/2019
Print:	229, April 2019

cc with enclosures: Linda Miller, Department of Law
Judy Herndon, LexisNexis

ORDER CERTIFYING THE CHANGES TO REGULATIONS
OF THE BOARD OF BARBERS AND HAIRDRESSERS


The attached 36 pages of regulations, dealing with qualifications for new license types including hair braiding, non-chemical barber, and permanent cosmetic coloring, and other regulations, to implement changes to AS 08.13 enacted under Chapter 23, SLA 18 (SB 4) are hereby certified to be a correct copy of the regulation changes that the Board of Barbers and Hairdressers adopted at its November 19, 2018 meeting, under the authority of AS 08.01.062, AS 08.13.030, AS 08.13.040, AS 08.13.070, AS 08.13.080, AS 08.13.082, AS 08.13.090, AS 08.13.100, AS 08.13.110, AS 08.13.120, AS 08.13.130, AS 08.13.140, AS 08.13.170, AS 08.13.180, AS 08.13.182, AS 08.13.190, AS 08.13.210, AS 08.13.215, and AS 08.13.220, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

On the record, in considering public comments, the Board of Barbers and Hairdressers paid special attention to the cost to private persons of the regulatory action being taken.


The regulation changes described in this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

DATE: 11/19/18
Anchorage, Alaska


Jennifer Lombardo, Board Chair
Board of Barbers and Hairdressers

FILING CERTIFICATION

Kevin Meyer
I, ~~Valerie Nurr'araaluk Davidson~~, Lieutenant Governor for the State of Alaska, certify that on February 28, 2019, 2018 at 9:18 Am., I filed the attached regulations according to the provisions of AS 44.62.040 – 44.62.120.


~~Valerie Nurr'araaluk Davidson~~, Lieutenant Governor
Kevin Meyer

Effective: March 30, 2019.

Register: 229, April 2019.

Chapter 09. Board of Barbers and Hairdressers.

12 AAC 09.002(b) is amended to read:

(b) The following checklist is established by the board for review of an application for a barber or non-chemical barber license by examination. A barber or non-chemical barber license will be issued to an applicant who

(1) submits a completed, notarized form for application under this chapter that includes

(A) the applicant's name and address; and

(B) for each school or apprenticeship where the applicant was trained, the name and address of the school or apprenticeship, the dates of the training, and the number of hours of training completed;

(2) submits original or certified true copies of

(A) student monthly records verifying that the applicant has successfully completed in a school approved by the board

(i) 1,650 hours of training for a barber license ^{or}

(ii) 1,350 hours of training for a non-chemical barber license

[IN A SCHOOL APPROVED BY THE BOARD]:

(B) a certification from another state's licensing agency, bearing the seal of that state, that the applicant has successfully completed in a school approved by that state's licensing agency

(i) 1,650 hours of training that included the minimum number of

practical operations set out in 12 AAC 09.160 [IN A SCHOOL APPROVED BY THAT STATE'S LICENSING AGENCY] for a barber license; or

(ii) 1,350 hours of training that included the minimum number of practical operations set out in 12 AAC 09.161 for a non-chemical barber license;

(C) student monthly records verifying that the applicant has successfully completed in an apprenticeship program approved by the board

(i) 2,000 hours of training [IN AN APPRENTICESHIP PROGRAM APPROVED BY THE BOARD] for a barber license; or

(ii) 1,600 hours of training for a non-chemical barber license;

(D) a certification from another state's licensing agency, bearing the seal of that state, that the applicant has successfully completed in an apprenticeship program approved by that state's licensing agency

(i) 2,000 hours of training that included the minimum number of practical operations set out in 12 AAC 09.160 [IN AN APPRENTICESHIP PROGRAM APPROVED BY THAT STATE'S LICENSING AGENCY] for a barber license; or

(ii) 1,600 hours of training that included the minimum number of practical operations set out in 12 AAC 09.161 for a non-chemical barber license; or

(E) a combination of the records required in this paragraph that verify the equivalent of 2,000 apprenticeship hours or 1,650 hours of course work for a barber

license, or 1,600 apprenticeship hours or 1,350 hours of course work for a non-

chemical barber license when evaluated using the criteria in 12 AAC 09.090(c) [B];

12 AAC
09.090(b)

- (3) pays the application fee established in 12 AAC 02.140;
- (4) pays the written and practical examination fees established in 12 AAC 02.140;
- (5) passes the written examination described in 12 AAC 09.056;
- (6) passes all subjects of the practical examination described in 12 AAC 09.056;

and

- (7) pays the initial biennial license fee in 12 AAC 02.140.

12 AAC 09.002(e) is amended to read:

(e) The following checklist is established by the board for review of an application for a barber, non-chemical barber or hairdresser license by waiver of examination. A barber, non-chemical barber or hairdresser license will be issued to an applicant who submits

- (1) the documents and fees required by (b)(1), (b)(3), and (b)(7) of this section;
- (2) a verification form completed by another state's licensing agency, bearing the seal of that state, showing that the applicant

(A) holds a current license to practice barbering, non-chemical barbering or hairdressing in that state; and

(B) qualified for licensure by passing a written and practical examination;

(3) verification of training and work experience that meets the requirements in

12 AAC 09.095(a)(3), [OR] (b)(3), or (c).

12 AAC 09.002(g)(2) is repealed:

(2) repealed 3 / 30 / 2019 ~~[THE APPLICATION FEE ESTABLISHED IN 12 AAC 02.140]~~

12 AAC 09.002(h)(2) is repealed:

(2) repealed 3 / 30 / 2019 ~~[THE APPLICATION FEE ESTABLISHED IN 12 AAC 02.140]~~

12 AAC 09.002(q) is amended to read:

(q) The following checklist is established by the board for review of an application for a license by examination to practice tattooing or [AND] permanent cosmetic coloring. A license to practice tattooing or [AND] permanent cosmetic coloring will be issued to an applicant who

(1) submits the documents and fees required by (b)(1), (3), (4), and (7) of this section;

(2) submits a certification, on a form provided by the department, from the applicant's trainer certifying that the applicant successfully completed the training requirements of AS 08.13.082(d) and either

12 AAC 09.169(a) - (c) or 12 AAC 09.169(e),
(A) ~~12 AAC 09.169(a) [AND (B)]~~ ~~(e) or 12 AAC 09.169(c), [(D)]~~ if

applying for a tattooing license; or

either
(B) 12 AAC 09.168(a) - (c) or 12 AAC 09.168(e), if applying for a permanent cosmetic coloring license, [12 AAC 09.169(a) AND (b) OR 12 AAC 09.169(d)],

(3) submits certified true copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board,

showing that the applicant successfully completed training courses in

(A) cardiopulmonary resuscitation (CPR); and

(B) blood borne pathogens; and

(4) passes the written examination described in 12 AAC 09.068.

The introductory language of 12 AAC 09.002(r) is amended to read:

(r) The following checklist is established by the board for review of an application for a license by waiver of examination to practice tattooing or [AND] permanent cosmetic coloring. A license to practice tattooing or [AND] permanent cosmetic coloring will be issued to an applicant who submits

...

12 AAC 09.002(r)(2) is amended to read:

(2) a verification form completed by another state's licensing agency, bearing the seal of that state, showing that the applicant

(A) holds a current license to practice tattooing or [AND] permanent cosmetic coloring in that state; and

(B) qualified for licensure to practice tattooing or [AND] permanent cosmetic coloring in that state by passing a written examination;

12 AAC 09.002(r)(4) is amended to read:

(4) verification of training equivalent to that described in AS 08.13.082(d) and

12 AAC 09.169(a) - (c),

(A) ~~12 AAC 09.169(a) [AND (B)] - (c), if applying for a tattooing license; or~~

(B) 12 AAC 09.168(a) - (c), if applying for a permanent cosmetic

coloring license.

[12 AAC 09.169(a) AND (b)]

The introductory language of 12 AAC 09.002(s) is amended to read:

(s) The following checklist is established by the board for review of an application for a courtesy license to practice body piercing, [OR TO PRACTICE] tattooing, or [AND] permanent cosmetic coloring. A courtesy license to practice body piercing, [OR TO PRACTICE] tattooing, or [AND] permanent cosmetic coloring will be issued to an applicant who meets the requirements of AS 08.01.062(a) and who, at least 30 days before the applicant plans to begin practicing, submits: []

...

The introductory language of

12 AAC 08.002(s)(3) is amended to read:

(3) verification of practicing body piercing, [FOR A FEE, OR OF PRACTICING] tattooing, or [AND] permanent cosmetic coloring for a fee, for at least 12 of the 24 consecutive months immediately preceding the date of application; the proof must include one of the following or a combination of the following:

...

12 AAC 09.002(s)(4) is amended to read:

(4) a statement signed by the applicant's sponsor verifying that the sponsor is a practitioner of body piercing, [OR PRACTITIONER OF] tattooing, or [AND] permanent cosmetic coloring who holds a permanent license in this state and will sponsor the applicant; and



The introductory language of 12 AAC 09.002(u) is amended to read:

(u) The following checklist is established by the board for review of an application for a student permit for an applicant to obtain training for body piercing, [OR FOR] tattooing, or [AND] permanent cosmetic coloring by a licensed practitioner in an apprenticeship program in a licensed shop. A student permit to obtain training for body piercing, [OR FOR] tattooing, or [AND] permanent cosmetic coloring by a licensed practitioner in a licensed shop will be issued to an applicant who submits

...

12 AAC 09.002 is amended by adding new subsections to read:

(v) The following checklist is established by the board for review of an application for a hair braiding license. A license to practice hair braiding will be issued to an applicant who submits

(1) the documents and fees required by (b)(1), (3), and (7) of this section; and

(2) verification of

(A) completion of instruction as required by 12 AAC 09.164 on a form provided by the department; or

(B) a current license to practice as a hair braider in another state with requirements equal to those in this state at the time of licensure, sent directly to this state from the verifying state's licensing agency in accordance with 12 AAC 09.115.

(w) The following checklist is established by the board for review of an application for a manicurist license. A manicurist license will be issued to an applicant who submits

(1) the documents and fees required by (b)(1), (3), and (7) of this section; and

(2) verification of

(A) training that meets the requirements in 12 AAC 09.143; or

(B) a current license to practice manicuring in another state with requirements equal to those in this state at the time of licensure, sent directly to this state from the verifying state's licensing agency in accordance with 12 AAC 09.115. (Eff.

5/10/96, Register 138; am 3/19/99, Register 149; am 7/23/2000, Register 155; am 7/13/2002, Register 163; am 11/27/2002, Register 164; am 12/6/2002, Register 164; am 1/14/2004, Register 169; am 10/14/2006, Register 180; am 12/24/2006, Register 180; am 4/21/2010, Register 194; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am 2 / 30 / 2019, Register 229)

Authority:	AS 08.01.062	AS 08.13.080	AS 08.13.100
	AS 08.13.030	AS 08.13.082	AS 08.13.120
	AS 08.13.070	AS 08.13.090	AS 08.13.180

12 AAC 09.004(a) is amended to read:

12 AAC 09.004. Courtesy license. (a) A courtesy license authorizes the licensee to

practice body piercing, [OR TO PRACTICE] tattooing, or [AND] permanent cosmetic coloring as a guest practitioner in a shop licensed by the board. An applicant for a courtesy license to practice body piercing must have a sponsor who holds a permanent license to practice body piercing in this state. An applicant for a courtesy license to practice tattooing [AND PERMANENT COSMETIC COLORING] must have a sponsor who holds a permanent license to practice tattooing [AND PERMANENT COSMETIC COLORING] in this state. **An applicant for a courtesy license to practice permanent cosmetic coloring must have a sponsor who holds a permanent license to practice permanent cosmetic coloring in this state.**

The introductory language of

12 AAC 09.004(b)(3) is amended to read:

(3) verification of practicing body piercing, [FOR A FEE, OR OF PRACTICING] tattooing, or [AND] permanent cosmetic coloring for a fee, for at least 12 of the 24 consecutive months immediately preceding the date of application; the proof must include one of the following or a combination of the following:

...

12 AAC 09.004(c) is amended to read:

(c) A courtesy license to practice body piercing, [OR TO PRACTICE] tattooing, or [AND] permanent cosmetic coloring is valid for 30 consecutive days. A person may not be issued more than one courtesy license in a calendar year.

(Eff. 12/6/2002, Register 164; am ² 09/24/2014, Register 211; am 3 / 30 / 2019, Register 229)

Authority: AS 08.01.062 AS 08.13.030 AS 08.13.070

The introductory language of 12 AAC 09.005(a) is amended to read:

12 AAC 09.005. Application for examination. (a) A completed, notarized application for examination as a barber, **non-chemical barber**, hairdresser, advanced manicurist, esthetician, practitioner of body piercing, practitioner of tattooing, [AND] **practitioner of** permanent cosmetic coloring, or instructor must be received by the division assigned occupational licensing functions at least 30 days before the next examination date and must ...

(Eff. 11/2/81, Register 80; am 4/18/82, Register 82; am 8/12/87, Register 103; am 9/30/87, Register 103; am 5/20/88, Register 106; am 10/16/88, Register 108; am 11/28/88, Register 108; am 5/10/96, Register 138; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 12/28/2008, Register 188; am 6/8/2016 [6/8/2106], Register 218; am 6/21/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.040 AS 08.13.080

12 AAC 09.020(c) is amended to read:

(c) An applicant may not make a reference orally or in writing to an examiner about any school **or instructor** of barbering, **non-chemical barbering**, hairdressing, manicuring, esthetics, body piercing, [OR] tattooing, **or** [AND] permanent cosmetic coloring, [INSTRUCTOR,] or present licenses held until grading has been completed by the examiners.

(Eff. 11/2/81, Register 80; am 5/10/96, Register 138; am 7/23/2000, Register 155; am

11/27/2002, Register 164; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.056 is repealed and readopted to read:

12 AAC 09.056. Content and grading criteria for barber and non-chemical barber

examinations. (a) The examination for a barber license consists of the following sections:

“period should
be boldface”

(1) a written examination entitled the *National Barber-Stylist Test*, sponsored by the National Interstate Council of State Boards of Cosmetology; and

(2) a practical examination with a maximum grade of 100 points in each of the following subjects:

(A) permanent waving;

(B) virgin tint;

(C) bleach touch-up and highlighting;

(D) haircutting, hair styling, and drying, not including finger waves, pin curls, and rollers; and

(E) shaving.

(b) The examination for a non-chemical barber license consists of the following sections:

(1) a written examination entitled the *Barber-No Chemical Test*, sponsored by the National Interstate Council of State Boards of Cosmetology; and

(2) a practical examination with a maximum grade of 100 points in each of the following subjects:

(A) haircutting, hair styling, and drying, not including finger waves, pin curls, and rollers; and

(B) shaving.

(c) Sanitation, comfort, and protection of the model are included in the grading of each subject of the practical examination.

(d) A passing grade on the written examination is 75 percent or above.

(e) A passing grade on each subject of the practical examination listed in (a)(2) and (b)(2) of this section is 75 points or more.

(f) No foreign language interpreters are allowed in the written or practical examination room. (Eff. 5/20/88, Register 106; am 10/16/88, Register 108; am 5/10/96, Register 138; am 3/19/99, Register 149; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.068(a) is amended to read:

12 AAC 09.068. Body piercing, ~~and~~ tattooing, and permanent cosmetic coloring examinations. (a) The written examination for a body piercing license is entitled the *Body Piercing Test*, sponsored by the National Interstate Council of State Boards of Cosmetology.

The examination for a license to practice [BODY PIERCING OR TO PRACTICE] tattooing or [AND] permanent cosmetic coloring is a written examination prepared and administered by the board covering the subjects listed in AS 08.13.080(d)(2).

(Eff. 11/27/2002, Register 164; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.090

12 AAC 09.086 is repealed and readopted to read:

12 AAC 09.086. Tattooing or permanent cosmetic coloring license by examination.

(a) An application for a license by examination to practice tattooing must be submitted in accordance with 12 AAC 09.005. The application must include verification that the applicant has successfully completed at least 1,000 hours of training that meets the requirements of AS 08.13.082(d) and 12 AAC 09.169(a) – (c);

(b) An application for a license by examination to practice permanent cosmetic coloring must be submitted in accordance with 12 AAC 09.005. The application must include verification that the applicant has successfully completed at least 250 hours of training that meets the requirements of AS 08.13.082(d) and 12 AAC 09.168(a) – (c).

(c) In addition to meeting the requirements of (a) or (b) of this section, an applicant for a license to practice tattooing or a license to practice permanent cosmetic coloring must provide verification that the applicant has successfully completed training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization approved by the board, and has been issued a current card, in

(1) cardiopulmonary resuscitation (CPR); and

(2) blood borne pathogens.

(d) In addition to meeting the requirements of (a) or (b) of this section, an applicant for a license to practice tattooing or a license to practice permanent cosmetic coloring must have passed the written examination ~~exam~~ as described in 12 AAC 09.068. (Eff. 11/27/2002, Register 164; am 1/14/2004, Register 169; am 4/5/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100

AS 08.13.070

AS 08.13.082

The introductory language of 12 AAC 09.088 is amended to read:

12 AAC 09.088. Tattooing or [AND] permanent cosmetic coloring license by waiver.

An applicant for a license by waiver of examination to practice tattooing or [AND] permanent cosmetic coloring shall apply on a form provided by the department. The application must include

...

12 AAC 09.088(2) is amended to read:

(2) verification that the applicant

(A) holds a current license to practice tattooing or [AND] permanent cosmetic coloring in another state; and

(B) is qualified for licensure to practice tattooing or [AND] permanent cosmetic coloring in that state by passing a written examination;

(Eff. 11/27/2002, Register 164; am 4/5/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.070 AS 08.13.082

12 AAC 09.090 is repealed and readopted to read:

12 AAC 09.090. Barber, non-chemical barber, or hairdresser license by

«make boldface»

examination. (a) An application for a barber or hairdresser license by examination must be submitted in accordance with 12 AAC 09.005, with verification of

(1) 1,650 hours of course work in a school approved by the board or another licensing jurisdiction;

(2) 2,000 hours of training in an apprenticeship program as required by AS 08.13.082; or

(3) a combination of course work and apprenticeship approved by the board under (c) of this section or approved by another licensing jurisdiction.

(b) An application for a non-chemical barber license by examination must be submitted in accordance with 12 AAC 09.005, with verification of

(1) 1,350 hours of course work in a school approved by the board or another licensing jurisdiction;

(2) 1,600 hours of training in an apprenticeship program as required by AS 08.13.082 and 12 AAC 09.190; or

(3) a combination of course work and apprenticeship approved by the board under (c) of this section or approved by another licensing jurisdiction.

(c) When evaluating a combination of course work and apprenticeship, the board ^{may} ~~will, in~~ ~~its discretion~~ use the following criteria to determine equivalent hours of course work and apprenticeship:

(1) one course work hour equals 1.212 of an apprenticeship hour; and

(2) one apprenticeship hour equals .825 of a course work hour. (Eff. 11/2/81, Register 80; am 4/18/82, Register 82; am 10/21/82, Register 84; am 2/28/88, Register 105; am

5/20/88, Register 106; am 3/19/99, Register 149; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

12 AAC 09.095 is repealed and readopted to read:

*"lose up
one (excess) space"*

12 AAC 09.095. Barber, non-chemical barber, or hairdresser license by waiver. (a)

An applicant for a barber or hairdresser license by waiver of examination shall apply on a form provided by the department. The application must include

- (1) payment of the fees established in 12 AAC 02.140;
- (2) verification of a current license to practice barbering or hairdressing issued by another state;
- (3) verification of completed training and work experience equivalent to
 - (A) 1,650 hours of training in a school approved by the board or another licensing jurisdiction;
 - (B) 2,000 hours of an apprenticeship program approved by the board or by another licensing jurisdiction;
 - (C) at least one year of full-time work experience as a licensed barber or hairdresser, averaging no less than 32 hours per week, and a minimum of 1,500 hours of training in an approved school or an apprenticeship program approved by the board or by another licensing jurisdiction; or
 - (D) at least two years of full-time work experience as a licensed barber or hairdresser, averaging no less than 32 hours per week and a minimum of 1,000 hours of training in an approved school or an apprenticeship program approved by the board or by

another licensing jurisdiction; and

(4) documents verifying that a state in which the applicant was licensed as a barber or hairdresser required the applicant to pass a practical and written examination to qualify for licensure.

(b) An applicant for a non-chemical barber license by waiver of examination shall apply on a form provided by the department. The application must include

(1) payment of the fees established in 12 AAC 02.140;

(2) verification of a current license to practice non-chemical barbering issued by another state;

(3) verification of completed training equivalent to

(A) 1,350 hours of training in a school approved by the board or another licensing jurisdiction; or

(B) 1,600 hours of an apprenticeship program approved by the board or by another licensing jurisdiction;

(C) at least one year of full-time work experience as a licensed non-chemical barber averaging no less than 32 hours per week, and a minimum of 1,200 hours of training in an approved school or an apprenticeship program approved by the board or by another licensing jurisdiction; or

(D) at least two years of full-time work experience as a licensed non-chemical barber averaging no less than 32 hours per week and a minimum of 800 hours of training in an approved school or an apprenticeship program approved by the board or by another licensing jurisdiction; and

(4) documents verifying that a state in which the applicant was licensed as a non-chemical barber required the applicant to pass a practical and written examination to qualify for licensure.

(c) An applicant unable to satisfy the requirements of (a)(3) or (b)(3) of this section due to lack of equivalency may obtain the needed hours of training and experience through attendance at an approved school or participation in an apprenticeship program approved by the board. (Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, Register 105; am 5/20/88, Register 106; am 5/10/96, Register 138; am 3/19/99, Register 149; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.082 AS 08.13.100

12 AAC 09 is amended by adding a new section to read:

12 AAC 09.096. Hair braiding license requirements. An applicant for a hair braiding license shall apply on a form provided by the department. The application must include

- (1) payment of the fees established in 12 AAC 02.140;
- (2) verification of completed training required under 12 AAC 09.164 by submitting either
 - (A) documentation of 35 hours of training received from
 - (i) a licensed school in this state; or
 - (ii) a licensed hairdresser, instructor of hairdressing, or hair braider in this state that meets the requirements of 12 AAC 09.186; or
 - (B) verification of licensure from another state with equivalent

requirements in which the applicant is licensed as a hair braider^(lowercase) The verification must include the number of hours of training the applicant completed. (Eff. 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100

12 AAC 09.097 is amended to read: *As Publisher: To reflect the deletion of 12 AAC 09.097(b), please designate existing 12 AAC 09.097 as 12 AAC 09.097(a).)))*

12 AAC 09.097. Credit for hours of course work and training. An applicant may use the same hours of course work and training to qualify for a license as a barber, ^(a license as) **a non-chemical barber**, and a license as a hairdresser. To be acceptable, the hours of course work and training must meet the requirements set out in this chapter for the applicable license.

12 AAC 09.097 is amended by adding a new subsection to read:

(b) An applicant may use the same hours of course work and training to qualify for a license to practice tattooing and a license to practice permanent cosmetic coloring. To be acceptable, the hours of course work and training must meet the requirements set out in this chapter for the applicable license. (Eff. 3/19/99, Register 149; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080

12 AAC 09.107(a)(1) is amended to read:

(1) verification of a current license to practice barbering, **non-chemical barbering**, hairdressing, **hair braiding**, manicuring, esthetics, body piercing, [OR] tattooing, **or**

[AND] permanent cosmetic coloring issued by another state; and



(Eff. 10/21/82, Register 84; am 2/28/88, Register 105; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 12/28/2008, Register 188; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.170

12 AAC 09.110(a)(7) is amended to read:

(7) documentation that within the 90 days before until the 90 days after the date the application was submitted to the department, the applicant was found to be in compliance with state environmental sanitation regulations in 18 AAC 23 or the health regulations of the municipality as a designee of the Department of Environmental Conservation and in which the shop is located; the applicant must obtain that documentation from the Department of Environmental Conservation or the municipality, except that an applicant whose shop is located within a shop already inspected under this paragraph may submit a copy of that inspection report or designate that a copy of the report is already on file with the department; if the application is for a shop where body piercing, [OR] tattooing, or [AND] permanent cosmetic coloring will be practiced, the shop must be inspected and certified by the Department of Environmental Conservation as in compliance with the state environmental sanitation regulations in 18 AAC 23.

12 AAC 09.110(i) is amended to read:

(i) A shop owner that is currently licensed by the board that intends to add to the shop a tattooing, [AND] permanent cosmetic coloring, or body piercing procedure must meet

the requirements of (a)(7) of this section and AS 08.13.215 before that procedure may be conducted in the shop.

(Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 5/20/88, Register 106; am 10/16/88, Register 108; am 4/23/98, Register 146; am 3/19/99, Register 149; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 12/1/2002, Register 164; am 10/14/2006, Register 180; am 1/17/2008, Register 185; am 12/28/2008, Register 188; am 6/8/2016, Register 218; am

3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.210 AS 08.13.215
AS 08.13.120

12 AAC 09.112(a) is amended to read:

(a) The board will issue a temporary shop license to a person who

(1) holds a current license or temporary permit in this state to practice body piercing, [OR] tattooing, or [AND] permanent cosmetic coloring;

(2) intends to hold a workshop or to demonstrate techniques as part of a convention or other special event that includes other practitioners of body piercing, [OR] tattooing, or [AND] permanent cosmetic coloring; and

(3) meets the requirements of this section.

12 AAC 09.112(f) is amended to read:

(f) In this section and AS 08.13.120(b), “convention or other special event” means a convention, industry trade show, or similar event that includes practitioners of body piercing,

[OR PRACTITIONERS OF] tattooing, or [AND] permanent cosmetic coloring and at which the license applicant intends to demonstrate to the other practitioners products or techniques related to body piercing, [OR] tattooing, or [AND] permanent cosmetic coloring. (Eff. 12/1/2002, Register 164; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.120 AS 08.13.130

12 AAC 09.115(4) is amended to read:

(4) a licensed hairdresser, esthetician, barber, non-chemical barber, body piercing practitioner, [OR] tattooing practitioner, or [AND] permanent cosmetic coloring practitioner who sponsored an apprentice and maintained the required records under 12 AAC 09.190; or
(Eff. 11/2/81, Register 80; am 10/1/93, Register 127; am 4/23/98, Register 146; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 8/20/2004, Register 171; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080

12 AAC 09.127(b)(4) is amended to read:

(4) the theoretical and practical training must meet the requirements of 12 AAC 09.143, 12 AAC 09.148, 12 AAC 09.160, 12 AAC 09.161, [AND] 12 AAC 09.163, and 12 AAC 09.164 as applicable for the type of training provided.

(Eff. 7/12/2007, Register 183; am 12/28/2008, Register 188; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.110 AS 08.13.210
AS 08.13.070 AS 08.13.180

as in original » 12 AAC 09.160(a)(2) is amended to read:
SUBJECT MINIMUM NUMBER OF PRACTICAL OPERATIONS, HAIRDRESSERS MINIMUM NUMBER OF PRACTICAL OPERATIONS, BARBERS
(2) thermal hair styling and drying,

including hair analysis, straightening, waving,
curling with hot combs and hot curling irons,

hair braiding, and blower styling 180 180

12 AAC 09.160(a)(8) is amended to read:

(8) beard trimming 5 50[5]

(Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, register 105; am 5/20/88, Register 106; am 7/23/2000, Register 155; am 4/21/2010, Register 194; am 8/10/2012, Register 203; am 6/8/2016, Register 218; am 4/5/2018, Register 226; am 6/21/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.110

12 AAC 09 is amended by adding a new section to read:

12 AAC 09.161. Non-chemical barbering school curriculum. (a) A student who is enrolled in a course of non-chemical barbering must complete a curriculum that consists of at least 1,350 hours of theoretical and practical training. A school shall teach a minimum of 185 hours of theoretical instruction, including five hours in state law, consisting of provisions of AS 08.13, this chapter, and the Department of Environmental Conservation regulations contained

in 18 AAC 23, and the following minimum number of practical operations, during the 1,350 hours of training:

SUBJECT	MINIMUM NUMBER OF PRACTICAL OPERATIONS
(1) wet hair styling and drying, including hair analysis, shampooing, finger waving, pin curling, and comb outs.....	30
(2) thermal hair styling and drying, including hair analysis, straightening, waving, curling with hot combs and hot curling irons, hair braiding and blower styling.....	180
(3) haircutting, including hair analysis and the use of the razor, scissors, electric clippers, and thinning shears, for wet and dry cutting	400
(4) scalp and hair treatments, including hair and scalp analysis, brushing, electric and manual scalp manipulation, and other hair treatments	10
(5) beard trimming	50
(6) beard shaving	50
(b) A student is responsible for participating in the routine maintenance of the sanitary conditions necessary to conduct business. However, credit may not be given for time spent laundering towels, washing floors, walls, windows, or lavatories, or similar work.	
(c) A student or apprentice who is enrolled in a school or apprenticeship program may complete up to 25 percent of the required theoretical instruction hours in (a) of this section through a distance education course online provided by Milady, PivotPoint, or similar organization approved by the board. Verification of successful completion of this training must	

be mailed directly to the department from the school or instructor. (Eff. 3 / 30 / 2019,

Register 229)

Authority: AS 08.13.030 AS 08.13.110

12 AAC 09 is amended by adding a new section to read:

12 AAC 09.164. Hair braiding curriculum. ^{the whole the period} A student who enrolls in a course of hair braiding must complete 35 hours of instruction ^{The instruction} and must include the following:

SUBJECT	MINIMUM NUMBER OF HOURS
(1) hair and scalp analysis	5
(2) diseases and disorders	5
(3) sanitation	5
(4) statutes and regulations	5
(5) natural hair braiding techniques	15

(Eff. 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080

12 AAC 09 is amended by adding a new section to read:

12 AAC 09.168. Permanent cosmetic coloring training requirements. (a) A student who is receiving training in permanent cosmetic coloring must complete a curriculum that consists of at least 250 hours of training. The training must include a minimum of 125 hours of theory instruction and a minimum of 75 hours of practical operations, including the number of

practical operations under (c) of this section, during which the trainer must be physically present in the shop.

(b) The 125 hours of theory instruction required under (a) of this section must include the following:

SUBJECT	MINIMUM NUMBER OF HOURS
(1) safety, sanitation, sterilization, and aseptic	45
(2) anatomy and physiology	10
(3) skin and skin disorders	10
(4) aftercare techniques	30
(5) equipment and supplies	10
(6) Alaska statutes and regulations	10
(7) emotional and psychological considerations of the client	5
(8) face shape and color theory	5

(c) The 75 hours of practical operations required in (a) of this section must include

(1) 25 practical operations observed by the student including eight lips, eight eyeliners, and eight eyebrows and may include microblading;

(2) 25 practical operations in which the student participated including eight lips, eight eyeliners, and eight eyebrows and may include microblading; and

(3) 25 practical operations performed by the student under supervision, but without assistance including eight lips, eight eyeliners, and eight eyebrows and may include microblading.

(d) In addition to the requirements of (a) – (c) of this section, an applicant must successfully complete training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization approved by the board, in

(1) cardiopulmonary resuscitation (CPR); and

(2) blood borne pathogens.

(e) An applicant for a permanent cosmetic coloring license under AS 08.13.082(d)(1)(B) based on training received in another state shall submit, on a form provided by the department, verification of completed training equivalent to that required under (a) – (c) of this section. The applicant may establish compliance with the requirement of (b)(6) of this section by submitting to the department an affidavit from the applicant that states that the applicant has studied the Alaska statutes and regulations regarding permanent cosmetic coloring for at least the minimum number of hours required.

(f) An applicant for a permanent cosmetic coloring license under (e) of this section who does not have enough hours to satisfy the requirements equivalent to those of (a) – (c) of this section may obtain the remaining hours of training needed in a licensed shop in this state under a licensed practitioner of permanent cosmetic coloring. The applicant must obtain a student permit under 12 AAC 09.180 and board approval of the proposed training program under 12 AAC 09.190 before the training begins.

(g) A student or apprentice who is enrolled in a school or apprenticeship program may complete up to 25 percent of the required theory instruction hours in (b) of this section through a distance education course online provided by Milady, PivotPoint, or a similar organization

approved by the board. Verification of successful completion of this training must be mailed directly to the department from the school or instructor. (Eff. 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

12 AAC 09.169(a) is amended to read:

12 AAC 09.169. Tattooing [AND PERMANENT COSMETIC COLORING]
training requirements. (a) A student who is receiving training in tattooing [AND PERMANENT COSMETIC COLORING] must complete a curriculum that consists of at least 1,000 hours of training. The training must include a minimum of 270 hours of theory instruction and a minimum of 150 hours of practical operations and number of practical operations as required under (c) of this section. during which the trainer must be physically present in the shop.

12 AAC 09.169(e) is amended to read:

(e) An applicant for a tattooing [AND PERMANENT COSMETIC COLORING] license under AS 08.13.082(d)(1)(B) based on training received in another state shall submit, on a form provided by the department, verification of completed training equivalent to that required under (a) – (c) of this section. The applicant may establish compliance with the requirements of (b)(6) of this section by submitting to the department an affidavit from the applicant that states that the applicant has studied the Alaska statutes and regulations regarding tattooing [AND PERMANENT COSMETIC COLORING] for at least the minimum number of hours required.

12 AAC 09.169(f) is amended to read:

(f) An applicant for a tattooing [AND PERMANENT COSMETIC COLORING] license under (e) of this section who does not have enough hours to satisfy the requirements equivalent to those of (a) – (c) of this section may obtain the remaining hours of training needed in a licensed shop in this state under a licensed practitioner of tattooing [AND PERMANENT COSMETIC COLORING]. The applicant must obtain a student permit under 12 AAC 09.180 and board approval of the proposed training program under 12 AAC 09.190 before the training begins.

(Eff. 11/27/2002, Register 164; am 1/14/2004, Register 169; am 9/24/2014, Register 211; am 4/5/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

changed

The section heading of 12 AAC 09.173 is ~~amended~~ to read:

12 AAC 09.173. Out-of-state training in body piercing, [AND] tattooing, and permanent cosmetic coloring.

12 AAC 09.173(b) is amended to read:

(b) The board will approve training in tattooing [AND PERMANENT COSMETIC COLORING] received outside of this state under AS 08.13.082(d)(1)(B) if the board determines that the training is equivalent to that described in 12 AAC 09.169(a) – (c) and provided by a person knowledgeable in the applicable techniques.

12 AAC 09.173 is amended by adding a new subsection to read:

(c) The board will approve training in permanent cosmetic coloring received outside of this state under AS 08.13.082(d)(1)(B) if the board determines that the training is equivalent to that described in 12 AAC 09.168(a) – (c) and provided by a person knowledgeable in the applicable techniques. (Eff. 11/2/81, Register 80; am 4/18/82, Register 82; am 7/23/2000, Register 155; am 5/26/2004, Register 170; am 4/5/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

12 AAC 09.180(a)(3)(C) is amended to read:

(C) receiving training from a practitioner of tattooing, [AND]
permanent cosmetic coloring or body piercing.

12 AAC 09.180(b)(2) is amended to read:

(2) proof of a current license to practice as a barber, non-chemical barber, hairdresser, esthetician, or as a manicurist with an endorsement as an advanced manicurist. (Eff. 11/2/81, Register 80; am 2/28/88, Register 105; am 5/20/88, Register 106; am 10/1/93, Register 127; am 7/23/2000, Register 155; am 7/13/2002, Register 163; am 11/27/2002, Register 164; am 10/14/2006, Register 180; am 8/10/2012, Register 203; am 6/8/2016, Register 218; am 4/5/2018, Register 226; am 6/21/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.180 AS 08.13.190

The section heading of 12 AAC 09.185 is ^{changed} amended to read:

12 AAC 09.185. Trainees in body piercing, [OR] tattooing, or [AND] permanent cosmetic coloring.

12 AAC 09.185(a) is amended to read:

(a) A currently licensed practitioner of body piercing, [OR] tattooing, or [AND] permanent cosmetic coloring who has held a practitioner's license in this state for at least one year before the training begins may provide training [IN BODY PIERCING OR TATTOOING AND PERMANENT COSMETIC COLORING] to no more than two trainees simultaneously in a shop licensed by the board under 12 AAC 09.110. A licensed practitioner of

(1) body piercing may provide training in body piercing;

(2) tattooing may provide training in tattooing ^{or} permanent cosmetic coloring if the trainer meets the requirements of 12 AAC 09.168;

(3) permanent cosmetic coloring may provide training in permanent cosmetic coloring.

12 AAC 09.185(e) is amended to read:

(e) A trainer must submit a report on each trainee under the trainer's supervision, on a form provided by the department, no later than the 15th day after the calendar quarter. The report must include

(1) for tattooing [AND PERMANENT COSMETIC COLORING], the exact number of hours of theoretical ^(instruction) and exact number and type of practical operations completed by

the trainee during the previous quarter;

(2) for permanent cosmetic coloring, the exact number of hours of theoretical and exact number and type of practical operations completed by the trainee during the previous quarter;

(3) for body piercing, the exact number of hours of theoretical and the exact number and type of practical operations completed by the trainee during the previous quarter.

12 AAC 09.185(g) is amended to read:

(g) The trainer must submit a certificate of student training form for tattooing₂ [AND] permanent cosmetic coloring₂ or body piercing within 20 days of termination of the training, documenting the theoretical and practical operations completed by the trainee during the incomplete training period.

12 AAC 09.185(h) is amended to read:

(h) Upon completion of a course of training under this section, the trainee is eligible to take the appropriate examination in the license categories of tattooing₂ [AND] permanent cosmetic coloring₂ or body piercing. The trainer shall submit a certificate of student training form no later than 30 days after the completion of training, documenting the theory hours and practical operations.

(Eff. 11/16/2004, Register 172; am 12/24/2006, Register 180; am 4/21/2010, Register 194; am 9/24/2014, Register 211; am 4/5/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.082

12 AAC 09 is amended by adding a new section to read:

12 AAC 09.186. Trainees in hair braiding. (a) A currently licensed hairdresser, instructor in hairdressing, or hair braider in a shop that is licensed by the board under 12 AAC 09.110 may provide instruction in hair braiding in accordance with 12 AAC 09.164.

(b) The trainer under (a) of this section must have held a license in this state for at least one year before the training begins. (Eff. 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.080

12 AAC 09.190(a) is amended to read:

12 AAC 09.190. Apprentices of barbering, non-chemical barbering, hairdressing, and esthetics. (a) A currently licensed barber, non-chemical barber, hairdresser, or esthetician instructor in a shop that is licensed by the board under 12 AAC 09.110 may sponsor an apprentice in the instruction of barbering, non-chemical barbering, hairdressing, or esthetics if

(1) the instructor submits a completed application on a form provided by the department; the completed application must include

(A) the personal identification information requested on the form;

(B) a curriculum to the board and must provide for

(i) verification that the shop where the training will be provided meets the requirements of 12 AAC 09.155 if the apprenticeship training is for barbering or hairdressing, 12 AAC 09.155 except for items listed under

(c)(16) – (18) of that section if the apprenticeship training is for non-chemical barbering, and 12 AAC 09.162 if the apprenticeship training is for esthetics;

(ii) instruction of the minimum hours of theoretical and practical training specified in 12 AAC 09.160 if the apprenticeship training is for barbering or hairdressing, 12 AAC 09.161 if the apprenticeship training is for non-chemical barbering, or 12 AAC 09.163 if the apprenticeship training is for esthetics;

*(iii) a period of apprenticeship that meets the requirements of AS 08.13.082; and
(iv) the issuance of an affidavit of completion to each apprentice successfully completing the apprenticeship; and
(2) the apprentice holds a student permit issued under 12 AAC 09.180(a).*

12 AAC 09.190(h) is amended to read:

(h) An apprentice may not perform work in a shop unless the licensed barber, non-chemical barber, hairdresser, or esthetician instructor responsible for the apprentice's training is on the premises.

12 AAC 09.190(l) is amended to read:

(l) Upon completion of a course of instruction under this section, an apprentice is eligible to take the appropriate examination in the license category of barbering, non-chemical barbering, hairdressing, or esthetics. The instructor shall notify the board of an apprentice completing the course of instruction not later than 30 days after the completion by submitting records of apprenticeship in accordance with this section.

(Eff. 10/21/82, Register 84; am 8/12/87, Register 103; am 2/28/88, Register 105; am 5/20/88, Register 106; am 10/1/93, Register 127; am 4/23/98, Register 146; am 7/23/2000, Register 155; am 7/13/2002, Register 163; am 11/16/2004, Register 172; am 10/14/2006, Register 180; am 12/24/2006, Register 180; am 8/10/2012, Register 203; am 6/8/2016, Register 218; am 4/5/2018,

Register 226; am 6/21/2018, Register 226; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.082

The introductory language of 12 AAC 09.930(c) is amended to read:

(c) In addition to the requirements of (a) and (b) of this section, an applicant for reinstatement of a license to practice body piercing, [OR TO PRACTICE] tattooing, or [AND] permanent cosmetic coloring must submit verification that the applicant has successfully completed training equivalent to that required for completion of courses certified by the American Red Cross, The American Heart Association, or a similar organization approved by the board, and been issued a current card, in

...

(Eff. 2/28/88, Register 105; em am 5/20/88 – 9/16/88, Register 106; am 5/10/96, Register 138; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.140

12 AAC 09.940(d) is amended to read:

(d) The Information Regarding Potential Health Risks and Other Information Section of the *Educational Information and Aftercare Instructions* (March 2003), prepared by the board, is adopted by reference as the statement provided by the board under AS 08.13.030(b) that the owner of a shop for tattooing, [AND] permanent cosmetic coloring, or [] body piercing shall

prominently display in the shop as required under AS 08.13.215(c)(1). (Eff. 4/9/2004, Register 170; am 3 / 30 / 2019, Register 229)

Authority: AS 08.13.030 AS 08.13.215

12 AAC 09.990(a)(6) is amended to read:

(6) “practical instruction,” “practical operation,” or “practical training” means the demonstration of or the actual performance of barbering, hairdressing, manicuring, esthetics, body piercing, [OR] tattooing, or [AND] permanent cosmetic coloring by a student, apprentice, or practitioner;

12 AAC 09.990(a)(8) is amended to read:

(8) “client release form” means a client’s written consent, on a form provided by a practitioner, for the practitioner to perform the requested body piercing, [OR] tattooing, or [AND] permanent cosmetic coloring procedure;


(Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, Register 105; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 12/6/2002, Register 164; am 7/12/2007, Register 183; am 4/21/2010, Register 194; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am 3 / 30 / 2019, Register 229)


Authority: AS 08.13.030 AS 08.13.220

MEMORANDUM

State of Alaska Department of Law

To: The Honorable Kevin Meyer
Lieutenant Governor

Thru: Susan R. Pollard 
Chief Assistant Attorney General
and Regulations Attorney
Legislation and Regulations Section

From: Steven C. Weaver 
Senior Assistant Attorney General
and Assistant Regulations Attorney
Legislation and Regulations Section

Date: February 21, 2019

File No.: 2018200925

Tel. No.: 465-3600

Re: Board of Barbers and Hairdressers
regulations re: qualifications for
licensure, particularly for new license
types and to reflect the split of
tattooing and permanent cosmetic
coloring into separate license types
(12 AAC 09)

The Department of Law has reviewed the attached regulations of the Board of Barbers and Hairdressers against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Board of Barbers and Hairdressers after the close of the public comment period. They are an omnibus update to qualifications for licensure, and implement amendments to AS 08.13--part of ch. 23, SLA 2018 (HCS CSSSSB 4 (RLS))--that created licenses for hair braiding and non-chemical barbering, and that split the former license for tattooing and permanent cosmetic coloring into two separate license types: one for tattooing, and one for permanent cosmetic coloring.

The October 15, 2018 public notice and the November 19, 2018 certification of adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

We have made some technical corrections to conform the regulations in accordance with AS 44.62.125. The corrections are shown on the attached copy of the regulations.

SCW

cc: Jennifer Lombardo, Chair
Board of Barbers and Hairdressers
(via e-mail through Sher Zinn)

Sara Chambers, Director
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Debbie Morgan, Regulations Contact
Department of Commerce, Community, and Economic Development

Sher Zinn, Regulations Specialist
Division of Corporations, Business, and Professional Licensing
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Dawn Hannasch, Licensing Examiner
Division of Corporations, Business, and Professional Licensing
Department of Commerce, Community, and Economic Development

Harriet Dinegar-Milks, Senior Assistant Attorney General
Commercial, Fair Business, and Child Support Section


STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF BOARD ACTION

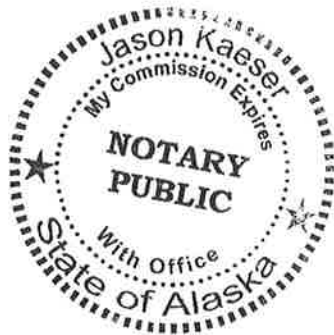
I, Dawn Hannasch, Records and Licensing Supervisor for the Board of Barbers and Hairdressers, being duly sworn, state the following:

The attached motion dealing with new licensure requirements for non-chemical barbering, hair braiding, permanent cosmetic coloring, and other regulations, was passed by the Board of Barbers and Hairdressers during its November 19, 2018 meeting.

Date: 11/19/2018
Juneau, Alaska


Dawn Hannasch, Records and Licensing Supervisor

Subscribed and sworn to before me at Tuneau Alaska
on 11/19/2018.



Notary Public in and for the State of Alaska
My commission expires: WITH OFFICE

Review Public Comments from Regulations Project/SB4:

Hearing nothing, Board Chair Jennifer Lombardo requested that the board review each public comment individually. Letters from Donna Turner, Veanessa Burbage, and Barbra Rae were reviewed and discussed.

The board began to discuss other comments that were made to a board member, but were cautioned by Regulations Specialist Sher Zinn, that the board cannot receive public comments in that way, any public comments not submitted to the Division in writing may not be considered. If a member of the public approaches a board member with their comments, the board member must refer the individual to the division as directed in the regulation notice. Board Chair Lombardo thanked Ms. Zinn for her guidance.

In a motion duly made by Terriann Shell and seconded by Mae Canady, with a roll call vote, it was resolved to adopt the regulations as written in regards to the new legislation for senate bill 4:

Michelle McMullin-YES

Kevin McKinley-YES

Shawn Idom-YES

Jennifer Lombardo-YES

Sienna Larson-YES

Mae Canady-YES

Terriann Shell-YES

Board Chair Jennifer Lombardo will sign the certification order in the division office today.

Board member Michelle McMullin, notified the board that she has the regulations drafted for the inspection portion of SB4. Board Chair Lombardo requested that each board member review the 4 articles in the DEC handbook that are in their packet, along with the drafted regulations that will be provided by RLS Dawn Hannasch. Each member will need to provide comments, suggestions or concerns to RLS Dawn Hannasch no later than January 13th 2019. They will be included in the board packet for all to review prior to the meeting. Ms. McMullin will meet with Investigator Dawn Bundick after the holidays to discuss what information will need to be forwarded onto DEC for their regulations project.

Hearing nothing further, Board Chair Lombardo adjourned the meeting at 9:55 am.

Respectfully submitted,

Dawn K Hannasch-Records and Licensing Supervisor

Date

Jennifer Lombardo-Board Chair

Date

**NOTICE OF PROPOSED CHANGES RELATING TO TRAINING AND EXAM
REQUIREMENTS FOR NEW LICENSE TYPES, IN THE REGULATIONS OF THE
BOARD OF BARBERS AND HAIRDRESSERS**

BRIEF DESCRIPTION: The Board of Barbers and Hairdressers proposes to update regulations regarding qualifications for new license types including hair braiding, non-chemical barber, and permanent cosmetic coloring, to implement changes to AS 08.13 enacted under Chapter 23, SLA 18 (SB 4).

The Board of Barbers and Hairdressers (Board) proposes to adopt regulation changes in Title 12, Chapter 09 of the Alaska Administrative Code including the following:

1. **12 AAC 09.002. Review of license applications**, is proposed to be changed to amend certain application requirements, add new subsections, and repeal of student permit application fees.
2. **12 AAC 09.004. Courtesy license**, is proposed to be changed to update courtesy license requirements by separating the tattoo and permanent cosmetic coloring license.
3. **12 AAC 09.005. Application for examination**, is proposed to be changed by adding new license types for non-chemical barber and permanent cosmetic coloring.
4. **12 AAC 09.020. Identification of applicant**, is proposed to be changed by clarifying language and adding new license types for non-chemical barber and permanent cosmetic coloring.
5. **12 AAC 09.056. Content and grading criteria for barber examination**, is proposed to repeal and readopt the section to include the new non-chemical barber license type.
6. **12 AAC 09.068. Body piercing, and tattooing, and permanent cosmetic coloring examinations**, is proposed to be changed to update the body piercing license exam, and clarify language for separation of the tattoo and permanent cosmetic coloring license.
7. **12 AAC 09.086. Tattooing and permanent cosmetic coloring license by examination**, is proposed to repeal and readopt the section to include separation of the tattoo and permanent cosmetic coloring license.
8. **12 AAC 09.088. Tattooing and permanent cosmetic coloring license by waiver**, is proposed to be changed to update the language to include separation of the tattoo and permanent cosmetic coloring license.
9. **12 AAC 09.090. Barber, non-chemical barber, or hairdresser license by examination**, is proposed to repeal and readopt the section to add the new non-chemical barber license type.
10. **12 AAC 09.095. Barber, non-chemical barber, or hairdresser license by waiver**, is proposed to repeal and readopt the section to add the new non-chemical barber license type.
11. **12 AAC 09.096. Hair braiding license requirements**, is proposed by adding a new section for the new hair braiding license type.
12. **12 AAC 09.097. Credit hours for course work and training**, is proposed to be changed to amend the section by adding the new non-chemical barber license type, and adding a new subsection for tattooing and permanent cosmetic coloring.
13. **12 AAC 09.107. Temporary permits**, is proposed to be changed by adding the non-chemical barber, hair braiding, permanent cosmetic coloring license types.
14. **12 AAC 09.110. Shop owner license**, is proposed to be changed by separating tattoo and permanent cosmetic coloring.

15. **12 AAC 09.112. Temporary shop license**, is proposed to be changed by separating tattoo and permanent cosmetic coloring.
16. **12 AAC 09.115. Verifications**, is proposed to be changed by adding the new non-chemical barber and permanent cosmetic coloring license types.
17. **12 AAC 09.127. License requirements for school offered by a college or university**, is proposed to be changed by adding training requirements for non-chemical barber and hair braiding license types.
18. **12 AAC 09.160. Barber and hairdresser school curriculum**, is proposed to be changed by adding hair braiding to subject requirements, and amending the number of beard trimming practicals.
19. **12 AAC 09.161. Non-chemical barbering school curriculum**, is proposed to add a new section for the new non-chemical barber license type curriculum requirements.
20. **12 AAC 09.164. Hair braiding curriculum**, is proposed to add a new section for the new hair braiding license type curriculum requirements.
21. **12 AAC 09.168. Permanent cosmetic coloring training requirements**, is proposed to add a new section for training requirements for a permanent cosmetic coloring license.
22. **12 AAC 09.169. Tattooing and permanent cosmetic coloring training requirements**, is proposed to be changed by removing permanent cosmetic coloring from the section, and clarifying language.
23. **12 AAC 09.173. Out-of-state training in body piercing, and tattooing, and permanent cosmetic coloring**, is proposed to be changed by separating the tattoo and permanent cosmetic coloring license, and adding a subsection for permanent cosmetic coloring training outside of the state.
24. **12 AAC 09.180. Student permits**, is proposed to be changed by separating the tattoo and permanent cosmetic coloring license, and adding the new non-chemical barber license type.
25. **12 AAC 09.185. Trainees in body piercing, or tattooing and permanent cosmetic coloring**, is proposed to be changed by separating the tattoo and permanent cosmetic coloring license, and clarifying language.
26. **12 AAC 09.186. Trainees in hair braiding**, is proposed by adding a new section for qualifications of a trainer of hair braiding.
27. **12 AAC 09.190. Apprentices of barbering, hairdressing, and esthetics**, is proposed to be changed by adding the new non-chemical barber license type.
28. **12 AAC 09.930. Reinstatement of a lapsed license**, is proposed to be changed by separating the tattoo and permanent cosmetic coloring license.
29. **12 AAC 09.940. Education information and aftercare instructions for body piercing and tattooing and permanent cosmetic coloring; notification requirements**, is proposed to be changed by separating the tattoo and permanent cosmetic coloring license.
30. **12 AAC 09.990. Definitions**, is proposed to amend by separating the tattoo and permanent cosmetic coloring license.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK

99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974 and by electronic mail at RegulationsAndPublicComment@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/191732>, and using the comment link. **The comments must be received not later than 5:00 p.m. on November 15, 2018.** Comments received after this deadline will not be considered by the Board.

You may submit written questions relevant to the proposed action to Sher Zinn, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806 or by e-mail at RegulationsAndPublicComment@alaska.gov. **The questions must be received at least 10 days before the end of the public comment period.** The Board will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and on the Board's website at <https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofBarbersHairdressers.aspx>. The Board may, but is not required to, answer written questions received after the 10-day cut-off date and before the end of the comment period.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov, no later than November 9, 2018, to ensure that any necessary accommodation can be provided.

A copy of the proposed regulation changes is available on the Alaska Online Public Notice System and by contacting Sher Zinn at (907) 465-1049 or RegulationsAndPublicComment@alaska.gov, or go to <https://www.commerce.alaska.gov/web/portals/5/pub/BAH-1018.pdf>.


After the public comment period ends, the Board will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.** Written comments and questions received are public records and are subject to public inspection.

Statutory Authority: AS 08.01.062; AS 08.13.030; AS 08.13.040; AS 08.13.070; AS 08.13.080; AS 08.13.082; AS 08.13.090; AS 08.13.100; AS 08.13.110; AS 08.13.120; AS 08.13.130; AS 08.13.140; AS 08.13.170; AS 08.13.180; AS 08.13.182; AS 08.13.190; AS 08.13.210; AS 08.13.215; AS 08.13.220

Statutes Being Implemented, Interpreted, or Made Specific: AS 08.01.062; AS 08.13.030; AS 08.13.040; AS 08.13.070; AS 08.13.080; AS 08.13.082; AS 08.13.090; AS 08.13.100; AS 08.13.110; AS 08.13.120; AS 08.13.130; AS 08.13.140; AS 08.13.170; AS 08.13.180; AS 08.13.182; AS 08.13.190; AS 08.13.210; AS 08.13.215; AS 08.13.220

Fiscal Information: The proposed regulation changes are not expected to require an increased appropriation.


DATE: 10/15/18



Sher Zinn, Regulations Specialist
Division of Corporations, Business and
Professional Licensing

For each occupation regulated under the Division of Corporations, Business and Professional Licensing, the Division keeps a list of individuals or organizations who are interested in the regulations of that occupation. The Division automatically sends a Notice of Proposed Regulations to the parties on the appropriate list each time there is a proposed change in an occupation's regulations in Title 12 of the Alaska Administrative Code. If you would like your address added to or removed from such a list, send your request to the Division at the address above, giving your name, either your e-mail address or mailing address (as you prefer for receiving notices), and the occupational area in which you are interested.

ADDITIONAL REGULATION NOTICE INFORMATION
(AS 44.62.190(d))

1. **Adopting agency:** Board of Barbers and Hairdressers – Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing.
2. **General subject of regulation:** Updates to regulations including additional license types, qualifications, and training requirements.
3. **Citation of regulation:** 12 AAC 09.002; 12 AAC 09.004; 12 AAC 09.005; 12 AAC 09.020; 12 AAC 09.056; 12 AAC 09.068; 12 AAC 09.086; 12 AAC 09.088; 12 AAC 09.090; 12 AAC 09.095; 12 AAC 09.096; 12 AAC 09.097; 12 AAC 09.107; 12 AAC 09.110; 12 AAC 09.112; 12 AAC 09.115; 12 AAC 09.127; 12 AAC 09.160; 12 AAC 09.161; 12 AAC 09.164; 12 AAC 09.168; 12 AAC 09.169; 12 AAC 09.173; 12 AAC 09.180; 12 AAC 09.185; 12 AAC 09.186; 12 AAC 09.190; 12 AAC 09.930; 12 AAC 09.940; 12 AAC 09.990
4. **Department of Law file number:** To be assigned.
5. **Reason for the proposed action:** Compliance with new state statutes; update and clarification of current regulations.
6. **Appropriation/Allocation:** Corporations, Business and Professional Licensing – #2360.
7. **Estimated annual cost to comply with the proposed action to:**
A private person: Cost of \$150 application fee, \$120 exam fee for non-chemical barber and \$60 exam fee for cosmetic coloring, and \$180 biennial license fee for new applicants of the new non-chemical barber, hair braiding and permanent cosmetic coloring licenses; student permit fee of \$100 for a new trainee or student of the non-chemical barber or permanent cosmetic coloring license types.
Another state agency: None known.
A municipality: None known.
8. **Cost of implementation to the state agency and available funding (in thousands of dollars):**
No costs are expected in FY 2019 or in subsequent years.
9. **The name of the contact person for the regulation:**
Dawn Hannasch, Records and Licensing Supervisor
Board of Barbers and Hairdressers
Division of Corporations, Business and Professional Licensing
Telephone: (907) 465-2543
E-mail: dawn.hannasch@alaska.gov
10. **The origin of the proposed action:** Board of Barbers and Hairdressers.
11. **Date:** 10/15/18 **Prepared by:** 
Sher Zinn
Regulations Specialist

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF NOTICE OF PROPOSED ADOPTION OF REGULATIONS
AND FURNISHING OF ADDITIONAL INFORMATION

I, Sher Zinn, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to 12 AAC 09.002-12 AAC 09.990, dealing with new license types and updating current regulations:

1. published in a newspaper or trade publication;
2. furnished to every person who has filed a request for notice of proposed action with the state agency;
3. furnished to appropriate state officials;
4. furnished to interested persons;
5. furnished to the Department of Law, along with a copy of the proposed regulation;
6. furnished electronically to incumbent State of Alaska legislators;
7. posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (2), (4) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

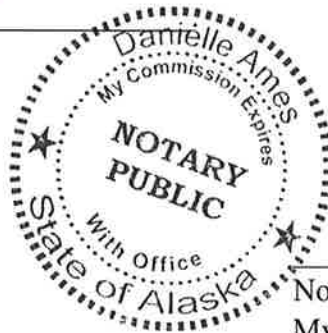
Date: 11/26/18

Sher Zinn
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at Juneau Alaska on

11. 26. 2018

(date)



DAmes
Notary Public in and for the State of Alaska
My commission expires W/office

RECEIVED
Juneau

OCT 19 2018

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ANCHORAGE DAILY NEWS

AFFIDAVIT OF PUBLICATION

Account #: 268972
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Order# 0001428999
Cost \$1,215.14

Product ADN-Anchorage Daily News
Placement 0300
Position 0301

STATE OF ALASKA THIRD JUDICIAL DISTRICT

Sarah Jennett

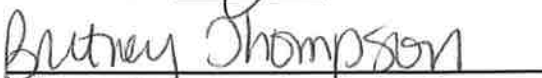
being first duly sworn on oath deposes and says that he/she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

October 15, 2018

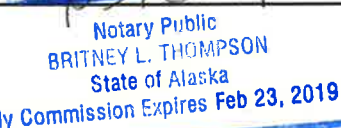
and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed 
Sarah Jennett

Subscribed and sworn to before me
this 15th day of October, 2018


Notary Public in and for
The State of Alaska.
Third Division
Anchorage, Alaska

MY COMMISSION EXPIRES


Notary Public
BRITNEY L. THOMPSON
State of Alaska
My Commission Expires Feb 23, 2019

NOTICE OF PROPOSED CHANGES RELATING TO TRAINING AND EXAM REQUIREMENTS FOR NEW LICENSE TYPES, IN THE REGULATIONS OF THE BOARD OF BARBERS AND HAIRDRESSERS

The Board of Barbers and Hairdressers (Board) proposes to adopt regulation changes in Title 12, Chapter 09 of the Alaska Administrative Code including the following:

1. **12 AAC 09.002. Review of license applications**, is proposed to be changed to amend certain application requirements, add new subsections, and repeal of student permit application fees.
2. **12 AAC 09.004. Courtesy license**, is proposed to be changed to update courtesy license requirements by separating the tattoo and permanent cosmetic coloring license.
3. **12 AAC 09.005. Application for examination**, is proposed to be changed by adding new license types for non-chemical barber and permanent cosmetic coloring.
4. **12 AAC 09.020. Identification of applicant**, is proposed to be changed by clarifying language and adding new license types for non-chemical barber and permanent cosmetic coloring.
5. **12 AAC 09.056. Content and grading criteria for barber examination**, is proposed to repeal and readopt the section to include the new non-chemical barber license type.
6. **12 AAC 09.068. Body piercing, and tattooing, and permanent cosmetic coloring examinations**, is proposed to be changed to update the body piercing license exam, and clarify language for separation of the tattoo and permanent cosmetic coloring license.
7. **12 AAC 09.086. Tattooing and permanent cosmetic coloring license by examination**, is proposed to repeal and readopt the section to include separation of the tattoo and permanent cosmetic coloring license.
8. **12 AAC 09.088. Tattooing and permanent cosmetic coloring license by waiver**, is proposed to be changed to update the language to include separation of the tattoo and permanent cosmetic coloring license.
9. **12 AAC 09.090. Barber, non-chemical barber, or hairdresser license by examination**, is proposed to repeal and readopt the section to add the new non-chemical barber license type.
10. **12 AAC 09.095. Barber, non-chemical barber, or hairdresser license by waiver**, is proposed to repeal and readopt the section to add the new non-chemical barber license type.
11. **12 AAC 09.096. Hair braiding license requirements**, is proposed by adding a new section for the new hair braiding license type.
12. **12 AAC 09.097. Credit hours for course work and training**, is proposed to be changed to amend the section by adding the new non-chemical barber license type, and adding a new subsection for tattooing and permanent cosmetic coloring.
13. **12 AAC 09.107. Temporary permits**, is proposed to be changed by adding the non-chemical barber, hair braiding, permanent cosmetic coloring license types.
14. **12 AAC 09.110. Shop owner license**, is proposed to be changed by separating tattoo and permanent cosmetic coloring.
15. **12 AAC 09.112. Temporary shop license**, is proposed to be changed by separating tattoo and permanent cosmetic coloring.
16. **12 AAC 09.115. Verifications**, is proposed to be changed by adding the new non-chemical barber and permanent cosmetic coloring license types.
17. **12 AAC 09.127. License requirements for school offered by a college or university**, is proposed to be changed by adding training requirements for non-chemical barber and hair braiding license types.
18. **12 AAC 09.160. Barber and hairdresser school curriculum**, is proposed to be changed by adding hair braiding to subject requirements, and amending the number of beard trimming practicals.
19. **12 AAC 09.161. Non-chemical barbering school curriculum**, is proposed to add a new section for the new non-chemical barber license type curriculum requirements.
20. **12 AAC 09.164. Hair braiding curriculum**, is proposed to add a new section for the new hair braiding license type curriculum requirements.
21. **12 AAC 09.168. Permanent cosmetic coloring training requirements**, is proposed to add a new section for training requirements for a permanent cosmetic coloring license.

STATE OF ALASKA)
) ss.
FIRST JUDICIAL DISTRICT)

AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Sher Zinn, Regulations Specialist, of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, being sworn, state the following:

In compliance with AS 44.62.215, the Board of Barbers and Hairdressers has kept a record of its use or rejection of factual or other substantive information that was submitted in writing as public comment and that was relevant to the accuracy, coverage, or other aspect of the Board of Barbers and Hairdressers regulations on dealing with new license types and updating current regulations.

Date: 11/26/18

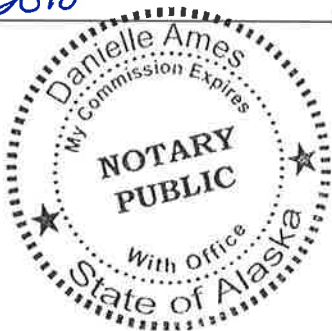
Sher Zinn
Sher Zinn, Regulations Specialist

Subscribed and sworn to before me at

Juneau Alaska

on

11.26.2018



DAmes

Notary Public in and for the State of Alaska
My commission expires: w/o office