



Notice of Proposed Changes to the Regulations of the Board of Barbers and Hairdressers

Proposed Regulations - FAQ

August 2023

1. What are the changes to the regulations being proposed?

The changes for each subject matter and respective sections are outlined below.

License application requirements relating to written examinations:

It is proposed to make changes to the following regulations relating to the examination requirements for new license applications. Effective October 2022, the board moved to computerized examination administration via the administrator, Prov. The proposed amendments clarify the examination process and associated fees are no longer administered by the board and are now the responsibility of Prov.

Corresponding regulation changes are to be made by the Department to repeal references to written exam fees at 12 AAC 02.140(4) and (7).

- **12 AAC 09.002. Review of license applications;** proposed repeal of sections relating to the written exam fees at (b)(4) for barbers or non-chemical barbers; (c)(1) for hairdressers; (d)(1) for estheticians; (i)(1) for instructors; (m)(4) for advanced manicurists; (o)(1) for body piercers; and (q)(1) for tattooists and practitioners of permanent cosmetic coloring.
- **12 AAC 90.005, Application for examination,** proposed to repeal and readopt the entirety of this section reflecting the change to computerized examination requirements on application and the new processes as administered by Prov.
- **12 AAC 09.010. Examination dates,** proposed to be repealed in its entirety as the board no longer sets the examination dates for applicants. These are now administered by Prov.
- **and 12 AAC 09.075. Reexamination;** proposed amendments to remove the 30-day deadline for an applicant to apply for reexamination and updates regulatory language to align with the transfer of examination administration to Prov.

2. Will an applicant still have to pay fees on application for licensure?

Yes, exam applicants must still submit examination applications with minimum non-refundable application fee of \$150.

3. How will I know if I am eligible to take the examinations?

Exam applicants must be approved by staff prior to scheduling and paying for their examination.

Staff will pull examination results weekly on Monday's, upload the information to applicant's files, and communicate directly with candidates providing the relevant confirmation.

4. How will I find my results?

Exam results are available almost immediately after taking an examination and emailed to the candidate by Prov.

5. Are there any technology requirements?

To be administered an examination on a personal computer, candidates must meet requirements set by Prov.

6. What Prov's fees?

\$90 per exam administered at a testing facility.

\$90 per exam administered through personal computer.

No exam postponement fee.

Exam fees are all paid directly to Prov (<https://provexam.com/>)

7. What are the positive consequences of the regulation changes?

Examination candidates no longer need to wait a month or more to be scheduled for an examination or re-examination. Nor will they have to wait 3-4 weeks to receive score results. Examination candidates no longer need to travel to three testing locations (ANC, FAI, JNU) which the costs of eliminates travel, lodging, meals, and local transportation. Travel requirements will in fact be removed entirely by providing candidates from outlying areas with the option to have their exam administered on a personal computer.

Additional foreign language examinations are available.

Courtesy license changes:

- **12 AAC 09.004** is proposed to be amended to allow a guest artist practicing body piercing, tattooing, or permanent cosmetic coloring to apply for up to two courtesy licenses in a calendar year.

The board wishes to amend the regulations to reflect the growing popularity of body art shows and conventions in Alaska. There are now two events occurring in Alaska (Spring and Fall). Many out of state artists make their living participating in these types of events. The current regulations restrict an artist to one courtesy license in a calendar year forcing the artist to pick only one event to attend. The proposed changes will open the options available to an artist, who would be able to pick two events in a calendar year.

8. What is the demonstrated need of the changes to the regulations?

In 2023, there are two separate events occurring in the year. Public interest has grown significantly leading to an increasing number of communications from artists, sponsors, and event coordinators requesting allowing artists to be able to attend both events. The ability to obtain two courtesy licenses will lead to multiple artists attending multiple events across the state resulting in additional hotels, travel related costs, and tourist dollars will be generated by the allowance of additional guest artists.

9. How do I obtain a courtesy license? Are the fees increasing? How long can I use a

courtesy license?

Applicants must submit an application together with required documentation and relevant fee for each courtesy license. The individual licenses will each be valid for a period of 30 days. Fees will not change from the current amount; there is no expectation to increase fees as a result of the regulations amendments.

Instructor license changes:

- **12 AAC 09.106. Instructor license requirements**, is proposed to be changed by simplifying the requirements for out-of-state instructors.

10. How will the changes affect licensees?

Obtaining an instructor license in Alaska under the current process has proven to be cost prohibitive, creating barriers to what should be a fairly quick licensing process. The changes to this regulation will remove the requirement for out of state instructors to hold an individual aspect (barber, hairdresser, etc.) license in Alaska before an application for instructor license submitted, reducing the costs involved for licensees.

Changes for Estheticians:

- **12 AAC 09.162. Equipment for esthetics schools**, is proposed to be amended to remove the reference to dermal lights as available equipment for estheticians.
- **12 AAC 09.163, Esthetics school curriculum**, is proposed to be amended to remove the reference to dermal lights as available equipment for estheticians.
These changes will bring the regulations up to date with the current state position on the use of dermal lights.

Body piercing, tattooing and permanent cosmetic coloring:

- **12 AAC 09.185.** The board's proposed amendments to this regulation will clarify confusing language relating to completed training documentation; what is required; who should submit it and when it to submit it.
- **12 AAC 09.190.** It is proposed to amend this section to mirror the changes in 12 AAC 09.185 and repeal conflicting language to create conformity across the regulations.

11. What will the changes do? Why are they necessary?

The regulations amendments will change the current 30-day deadline to submit completed training documents, reducing it to 5 days; this will hold trainers at the same standards as schools and barber/hairdresser/esthetician apprentice instructors.

The changes are necessary to clarify confusing language which regularly results in issues relating to the submission of correct completion documentation from trainers within the required timeframe. This creates additional administrative burdens on division staff and unnecessary delays for the trainees to move forward with examination and licensure processes.

The proposed regulation changes will remove conflicting language surrounding the submission requirements for completed training documents, providing clarity for applicants. The proposed

changes will require that all documentation must be submitted within 5 days of training completion.

It is also proposed to update the tattoo training regulations to remove the current provision allowing tattooists to provide training in permanent cosmetic coloring.

12. What are the costs to comply with the proposed regulations?

There are no known costs to implement these changes.

13. When will the new regulations be effective?

After the public comment deadline, comments received are compiled and given to the Board for consideration. The Board may adopt the regulation as written/publicly noticed, may amend and adopt them, or choose to take no action, or may withdraw the proposed regulations in part or in its whole. After Board action, the adopted regulations go to Department of Law (DOL) for final review/approval. DOL either approves or disapproves regulations. Once approved by DOL, it goes to the Lt. Governor for filing. The regulations take effect on the 30th day after they have been filed by the Lt. Governor.

Do you have a question that is not answered here? Please email RegulationsAndPublicComment@alaska.gov so it can be added.