



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

Jane A. Rackers, Division Director
DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance
Financial Institutions
and Professional Registration
John M. Huff, Director

BOARD OF COSMETOLOGY AND BARBER EXAMINERS

3605 Missouri Boulevard
P.O. Box 1062
Jefferson City, MO 65102
573-751-1052
573-751-8167 FAX
800-735-2966 TTY Relay Missouri
800-735-2466 Voice Relay Missouri
<http://pr.mo.gov/cosbar>

Emily R. Carroll
Executive Director

Meeting Notice

State Board of Cosmetology and Barber Examiners
Division of Professional Registration

Jefferson City, Missouri

March 26, 2014

The Missouri State Board of Cosmetology and Barber Examiners will meet, via conference call on Wednesday, March 26th at 8:00 p.m. The conference call will convene in the Executive Director's office located at the Division of Professional Registration, located at 3605 Missouri Boulevard, Jefferson City, MO 65109. **Individuals may also join the conference call by dialing 877-820-7831 and entering Pin# 35666479#.** For individuals with special needs, notification should be forwarded to the Missouri State Board of Cosmetology and Barber Examiners, P.O. Box 1062; 3605 Missouri Boulevard, Jefferson City, Missouri or by calling (573) 751-1052 to ensure available accommodations. The text telephone number for the hearing impaired is 800-735-2966.

Except to the extent disclosure is otherwise required by law, the Missouri State Board of Cosmetology and Barber Examiners is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021 (1), (3), (5), (7), (13) and (14), RSMo, and Chapter 324.001.8 and 324.001.9, RSMo.

The Board may go into closed session at any time during the meeting. If the meeting is closed the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Please see attached tentative agenda for this meeting.

POSTED: 3/24/2014

**State Board of Cosmetology and Barber Examiners
Division of Professional Registration
3605 Missouri Boulevard
Jefferson City, MO 65109
Executive Director Report - Emily Carroll**

March 26, 2014

TENTATIVE OPEN SESSION AGENDA

Wednesday, March 26, 2014

8:00 p.m.

- a.) Call to order
- b.) Roll Call

1. Approval of Open Session Agenda
2. Comments to 20 CSR 2085-8.070

Closed Session – The Board will move into closed session pursuant to Section 610.021 Subsections (1), (3), (5), (7), and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant, and discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney, for deliberation on discipline, for discussing hiring, firing, disciplining or promoting an employee of this agency, for discussing applicants for licensure, performance evaluations pertaining to individual employees, testing and examination materials, and for the purpose of approving the minutes of one or more previous meetings.

*Adjournment**



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Emily R. Carroll
Executive Director

January 28, 2014

Missouri Association of Cosmetology Schools
Attn: Scott Sharp
1753 Woodclift
Jefferson City MO 65109

Dear Mr. Sharp:

This is to acknowledge that the Missouri State Board of Cosmetology and Barber Examiners ("Board") is in receipt of your correspondence dated January 21, 2014 regarding a comment to be considered for the amendment to rule 20 CSR 2085-8.070.

Your correspondence will be placed on the next Board agenda for review and consideration. You will be notified of the determination following the meeting.

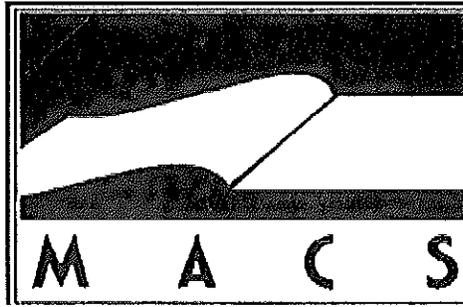
If you have any questions regarding the above information, do not hesitate to contact the board office.

Sincerely,
Board of Cosmetology and Barber Examiners

A handwritten signature in cursive script that reads "Emily R. Carroll".

Emily R. Carroll
Executive Director

ERC/jml



RECEIVED

JAN 27 2014

Missouri Board of Cosmetology
& Barber Examiners

01/21/2014

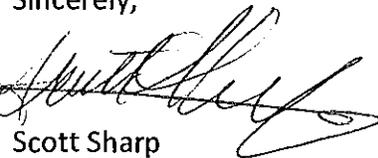
To Missouri State Board of Cosmetology and Barber Examiners:

Missouri Association of Cosmetology Schools (MACS), would like to propose a suggestion with the rule change submitted by the Board in Section C which reads as follows, "Submission for approval of continuing education for cosmetology instructors shall be submitted by the sponsoring university, Missouri vocational association, or state cosmetology association to the board for approval not later than (60) days prior to the scheduled date of the seminar."

We are suggesting that "university" be changed to "a Missouri State University" or for the board to obtain an official legal definition of "university" prior to going forward with this rule change. Our concern is, without a clear definition and by allowing online out-of-state universities, this will burden the Board with time and money to research the validity of a "university".

Thank you for your time and consideration to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Sharp', written in a cursive style.

Scott Sharp

Vice-president

MACS

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbol-ogy under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

ter and processing shall be those shown in Part 300 to end of Title 9, the *Code of Federal Regulations* (January [2013] 2014), herein incorporated by reference and made a part of this rule as published by the United States Superintendent of Documents, 732 N Capitol Street NW, Washington, DC 20402-0001, phone: toll-free (866) 512-1800, DC area (202) 512-1800, website: <http://bookstore.gpo.gov>. This rule does not incorporate any subsequent amendments or additions.

AUTHORITY: section 265.020, RSMo 2000. Original rule filed Sept. 14, 2000, effective March 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 21, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Agriculture, Linda Hickam, State Veterinarian, PO Box 630, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2085—Board of Cosmetology and Barber
Examiners
Chapter 8—Cosmetology Instructors and Instructor
Trainees**

PROPOSED AMENDMENT

20 CSR 2085-8.070 Instructor Renewal and Inactive License Requirements. The board is proposing to amend subsections (2)(A), (2)(C), and section (4), and add new subsections (4)(C), (D), and (E).

PURPOSE: This amendment decreases the continuing education requirements and provides another source of continuing education for cosmetology instructors.

(2) Renewals. Every two (2) years (biennially) the renewal application for active licensees must be completed, signed, accompanied by the appropriate renewal fee, and returned to the board office prior to the expiration date of the license. The biennial instructor renewal fee shall be submitted in addition to the regular operator renewal fee.

(A) Renewal is contingent upon attending a board-approved seminar and submitting to the board proof of [twelve (12)] eight (8) hours of attendance issued by seminar sponsors, showing the date and place of the seminar. Each licensed instructor shall be required to attend a board-approved seminar within the two (2) years immediately preceding the renewal date and shall submit evidence of attendance with the renewal application.

(C) Instructors holding a Missouri license, but not teaching or residing in Missouri, may attend an approved seminar of the state in which they reside for license renewal providing the program is sponsored by a university or bona fide cosmetology association and is at least [twelve (12)] eight (8) hours. All seminar certifications shall

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

**Title 2—DEPARTMENT OF AGRICULTURE
Division 30—Animal Health
Chapter 10—Food Safety and Meat Inspection**

PROPOSED AMENDMENT

2 CSR 30-10.010 Inspection of Meat and Poultry. The acting director is amending section (2).

PURPOSE: This amendment ensures that the current rule language clearly includes the most recent publication date of Title 9, the Code of Federal Regulations published January 1 of each calendar year for the Missouri Meat and Poultry Inspection Program to be in compliance with federal regulations and maintain "equal to" status as determined by the United States Department of Agriculture/Food Safety and Inspection Service.

(2) The standards used to inspect Missouri meat and poultry slaugh-

contain a sworn statement from that state board that the program was approved for instructor license renewal. Should the state not have continuing education requirements for instructor license renewal, then the instructor license renewal would be contingent upon attending a seminar approved by the board.

(4) Approval of Instructor Seminar Training.

(A) All seminar programs must be submitted by the sponsoring university or association to the board for approval prior to the first day of the calendar year in which the seminar is scheduled to be held and no later than sixty (60) days prior to the scheduled date of the seminar. Seminar programs submitted for approval must include the following information:

- 1. A copy of the proposed program schedule;*
- 2. An outline of the subject matter;*
- 3. The identity and qualifications of the speakers or instructors; and*
- 4. The number of hours of the presentation (minimum of twelve (12) hours required).]*

(A) A continuing education program for cosmetology instructors shall have prior approval of the Missouri Board of Cosmetology and Barber Examiners to fulfill the requirements of continuing education for renewal in Missouri. All cosmetology instructor continuing education approved by the board shall be accepted for continuing education credit for renewal of the cosmetology instructor license.

1. Continuing education includes, but is not limited to: institutes, seminars, lectures, conferences, workshops, extension study, correspondence courses, teaching, professional meetings, self-study courses, and any other methods approved by the board.

2. Continuing education shall be related to teaching methodology in the professions of cosmetology or barbering.

3. Continuing education shall provide for evaluation methods or examinations to ensure satisfactory completion by participants.

4. The person(s) instructing or otherwise delivering the content of the program shall be qualified in the subject matter by education or experience.

(B) [Seminar sponsors shall be responsible for accurate attendance records and shall provide the board with an alphabetical listing of names, addresses and license numbers of those granted certificates of attendance and shall furnish evidence of attendance to the instructors showing the date and place of the seminar, signed by the sponsor secretary or chairman and shall indicate state board approved.] Submissions for approval of continuing education for cosmetology instructors' applications shall be submitted on forms provided by the board.

(C) Submissions for approval of continuing education for cosmetology instructors shall be submitted by the sponsoring university, Missouri vocational association, or state cosmetology association to the board for approval no later than sixty (60) days prior to the scheduled date of the seminar. Seminar programs submitted for approval must include the following information:

1. A copy of the proposed schedule;
2. An outline of the subject matter;
3. The identity and qualifications of the speakers or instructors;
4. The number of hours of the presentation; and
5. The name, address, and telephone number of the entity offering the program or a representative of the program making the submission for approval.

(D) Submissions for approval of continuing education for cosmetology instructors that are returned due to errors in the submission or for purposes of requesting additional information required pursuant to subsection (4)(C) of this rule shall not be considered complete until the requested corrections are made or the board receives the additional information. The board shall

notify the entity seeking approval or its representative in writing following the board's decision.

(E) The entity offering the program shall be responsible for accurate attendance records and shall provide the board with an alphabetical listing of names, addresses, and license numbers of those granted certificates of attendance. The entity offering the program shall furnish evidence of attendance to the instructors showing the date and place of the seminar, signed by the representative of the entity offering the program, and shall indicate that the program was approved by the board with the date of such approval.

AUTHORITY: sections [620.150, RSMo 2000 and] 329.025.1 and 329.085, RSMo Supp. [2007] 2013. Original rule filed Aug. 1, 2007, effective Feb. 29, 2008. Amended: Filed Nov. 26, 2013.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions between one thousand six hundred eighty-seven dollars and ninety-two cents (\$1,687.92) and one thousand seven hundred eighty dollars and ninety-five cents (\$1,780.95) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will save private entities approximately seventy-three thousand two hundred thirty-six dollars to ninety-nine thousand eighty-four dollars (\$73,236-\$99,084) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Board of Cosmetology and Barber Examiners, Emily Carroll, Executive Director, PO Box 1062, Jefferson City, MO 65102, by facsimile at (573) 751-8167, or via email at cosbar@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC ENTITY FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2085 - Cosmetology and Barber Examiners

Chapter 8 - Cosmetology Instructors and Instructor Trainees

Proposed Amendment - 20 CSR 2085-8.070 - Instructor Renewal and Inactive Licensee Requirements

Prepared April 5, 2013 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost
Board of Cosmetology and Barber Examiners	\$1,687.92 to \$1,780.95
	Total Annual Costs of Compliance for the Life of the Rule \$1,687.92 to \$1,780.95

III. WORKSHEET

The Processing Technician II prepares all continuing education review packets sent to board member(s), assists with the data entry of seminar information in an automated tracking system, and mails approval letters to continuing education providers. The Administrative Coordinator reviews applications to verify a correct fee is included and that the courses and instructors are identified and that their resumes are included. The Administrative Coordinator then coordinates the results with a board member and drafts applicable correspondence.

Personal Service Dollars

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Administrative Coordinator	\$36,672 to \$38,724	\$55,525.08 to \$58,632.01	\$26.69 to \$28.19	\$0.44 to \$0.47	60 minutes	\$26.69 to \$28.19	\$1,601.68 to \$1,691.31
Processing Technician II	\$25,068 to \$26,316	\$37,955.46 to \$39,845.06	\$18.25 to \$19.16	\$0.30 to \$0.32	15 minutes	\$4.56 to \$4.79	\$68.43 to \$71.84
Total Estimated Annual Personnel Service Cost for the Life of the Rule							\$1,670.11 to \$1,763.14

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
Correspondence Mailing	\$0.65	13	\$8.45
License Printing and Postage	\$0.72	13	\$9.36
Total Estimated Annual Expense for the Life of the Rule			\$17.81

IV. ASSUMPTION

1. Employees' salaries were calculated using the annual salary multiplied by 51.41% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute.
2. The number of entities listed in the table reflect an average of the estimated number of submissions for approval to provide instructor education. The board estimates there will be 10 to 15 submissions yearly.
3. It is anticipated that the total costs will recur annually for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE ENTITY FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2085 - Cosmetology and Barber Examiners

Chapter 8 - Cosmetology Instructors and Instructor Trainees

Proposed Amendment - 20 CSR 2085-8.070 - Instructor Renewal and Inactive Licensee Requirements

Prepared April 3, 2013 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated savings of compliance with the amendment by affected entities:
1077	Instructor Licensees (Continuing Education Course Savings Savings Per Course Hour @ \$68.00 to \$92.00)	\$73,236.00 to \$99,084.00
	Estimated Annual Savings of Compliance for the Life of the Rule	\$73,236.00 to \$99,084.00

III. WORKSHEET

See table above.

IV. ASSUMPTION

- Continuing education seminars are typically offered in twelve hour segments over two days. The cost of a two day seminar is \$200 to \$275 based upon a review of the registration fees of two major seminar providers. Since the number of hours is being decreased from twelve (12) to eight (8), there is a corresponding cost savings. For 2013, course providers offered 12 hours of instruction at costs ranging from \$200 to \$275 which yields per hour cost as follows: $\$200/12 = \17 per hour, $\$17 \times 4 = 68$, and $\$275/12 = \23 per hour, $\$23 \times 4 = \92 . Cost savings may vary from these estimates.
- Travel expenses will vary based upon the distance the licensee must travel to the seminar location. Those costs have not been factored into the private costs. It is anticipated that the reduced number of required education hours and increased availability of course providers will reduce travel costs.
- It is anticipated that the total savings will recur for the life of the rule, may vary with inflation and are expected to increase at the rate projected by the Legislative Oversight Committee.

**Open Conference Call Minutes
State Board of Cosmetology & Barber Examiners
Division of Professional Registration
3605 Missouri Boulevard
Jefferson City, Missouri**

March 26, 2014

The Missouri State Board of Cosmetology and Barber Examiners Meeting was called to order in open session via conference call by President Wayne Kindle at 8:06 p.m. on Wednesday, March 26, 2014, at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Wednesday, March 26, 2014

Board Members Present:

Wayne Kindle, President
Betty Leake, Vice President
Jacklyn Crow, Secretary
Leata Price-Land, Member
Joe Nicholson, Member
Lori Bossert, Public Member

Staff Present:

Emily R. Carroll, Executive Director

Approval of Open Agenda

A motion was made by Leata Price-Land and seconded by Lori Bossert to approve the open session agenda as submitted. Motion carried.

Comments on 20 CSR 2085-8.070

The Board reviewed to comment submitted by MACS offering a suggestion to the proposed language specifically to section C suggesting that “university” be changed to “Missouri State University” or asking the Board to obtain an official legal definition of “university” prior to going forward with this rule change.

A motion was made by Leata Price-Land to move forward with the current amendment as drafted.
Motion failed.

A motion was made by Joseph Nicholson and seconded by Betty Leake to thank the MACS association for their comment, as well as to only move forward

with only the proposed amendment change relating to decreasing the Board approved instructor continuing education training hours from the current requirement of twelve (12) hours per each biennial renewal down to eight (8) hours per each biennial renewal.

Roll call vote:

Jacklyn Crow	aye	Lori Bossert	aye
Wayne Kindle	aye	Betty Leake	aye
Joseph Nicholson	aye	Leata Price-Land	nay

Motion carried.

8:40 p.m. There being no further business, the meeting was adjourned.



Executive Director

Approved on October 27, 2014