

Michigan Office of Administrative Hearings and Rules

611 W. Ottawa Street

Lansing, MI 48909

Phone: 517-335-8658 Fax: 517-335-9512

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Licensing and Regulatory Affairs

Division/Bureau/Office:

Bureau of Professional Licensing

Name of person completing this form:

Dena Marks

Phone number of person completing this form:

517-335-3679

E-mail of person completing this form:

MarksD1@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Elizabeth Arasim

2. Rule Set Information

MOAHR assigned rule set number:

2020-50 LR

Title of proposed rule set:

Cosmetology -- General Rules

3. Purpose for the proposed rules and background:

These rules provide licensure and sanitation requirements for cosmetologists. The rules also provide operational and equipment requirements for a cosmetology establishment and a school of cosmetology and set minimal standards of acceptable practice for the profession.

The rules will be amended to provide clarity, inform applicants of the requirements for licensure, relicensure, and licensure by endorsement, and update curriculum, operational standards, and sanitation standards. The rule pertaining to branch facility licensure will be amended to sunset the license because it is not authorized by statute.

Additionally, new rules will be added to comply with the statutory changes that went into effect this year, such as requirements for the operation of mobile salons and setting the criteria to permit some hours of instruction earned in a state barber college to be substituted for required courses in a cosmetology educational program.

4. Summary of proposed rules:

The proposed rules will inform applicants of the requirements for licensure, relicensure, and licensure by endorsement, update curriculum, operational standards, and sanitation standards, and make revisions for clarity. The rule pertaining to branch facility licensure will be amended to sunset the license because it is not authorized by statute. Additionally, new rules will be added to comply with statutory changes, such as providing the requirements for the operation of mobile salons and setting the criteria to permit some hours of instruction earned by a Michigan-licensed barber in a state barber college to be substituted for required courses in a cosmetology student's educational program.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

Flint Journal, May 4, 2021
Grand Rapids Press, May 4, 2021
Mining Journal, May 4, 2021

6. Date of publication of rules and notice of public hearing in Michigan Register:

5/15/2021

7. Date, time, and location of public hearing:

5/17/2021 09:00 AM at The public hearing will be held virtually via Zoom to receive public comments while complying with measures designed to help prevent the spread of Coronavirus Disease 2019 (COVID 19) and the City of Lansing Resolution #2021-081. ,
<https://us02web.zoom.us/j/86256783799?pwd=Rlc3MWtPd2tyTjhOQWZlV0piSjZWUT09>,
Password: 999999; Phone number: 877-336-1831, Conference Code: 486917

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=178>

9. List of the name and title of agency representative(s) attending public hearing:

Kimberly Catlin, Board Support Technician, Boards and Committees Section, Bureau of Professional Licensing

Andria Ditschman, Senior Policy Analyst, Boards and Committees Section, Bureau of Professional Licensing

Dena Marks, Senior Policy Analyst, Boards and Committees Section, Bureau of Professional Licensing

Kerry Ryan Przybylo, Manager, Boards and Committees Section, Bureau of Professional Licensing

10. Persons submitting comments of support:

Katherine Pavlik, Michigan College of Beauty

11. Persons submitting comments of opposition:

None.

12. Identify any changes made to the proposed rules based on comments received during the public comment period:

Agency Report to JCAR-Page 3

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for change	Rule number & citation changed
1	Katherine Pavlik, Michigan College of Beauty	The definition of “equivalent” should include the required grade level.		The addition of the word “statutorily” will clarify the required grade level in the definition of the word “equivalent.”	R 338.2101 (1)(h)
2	Katherine Pavlik, Michigan College of Beauty	The definition of “practical application” should be included in the rule set		The addition of a definition of “practical application” will assist the reader in understanding the term as it is used in the rule set.	R 338.2101 (1)(k)
3	Katherine Pavlik, Michigan College of Beauty	The student’s records should include practical applications.		The addition of practical applications will better clarify the records that must be kept by a school or apprenticeship program.	R 338.2136 (2)(b)

Agency Report to JCAR-Page 4

4	Katherine Pavlik, Michigan College of Beauty	The hours allocated to health and safety and hair care services should be increased and the hours allocated to skin care and nails instruction should be decreased in the cosmetology curriculum.		Increasing the number of hours allocated in the curriculum to health and safety will ensure that students are better prepared to protect the health of Michigan citizens receiving cosmetology services, and increasing the number of hours allocated to hair care services will provide more instruction in the area where most students are interested in providing cosmetology services to clients.	R 338.2169a (1), Table 11
5	Katherine Pavlik, Michigan College of Beauty	Hands should also be sanitized before providing hair care services.		Sanitizing hands before providing any cosmetology service will help protect the health and safety of Michigan citizens.	R 338.2171b (b)

13.Date report completed:

8/26/2021