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SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



ROBIN CARNAHAN  
SECRETARY OF STATE

MISSOURI  
REGISTER

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**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation, i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2085—Board of Cosmetology and  
Barber Examiners  
Chapter 11—Sanitation Rules—Barber and Cosmetology  
PROPOSED RULE**

**20 CSR 2085-11.010 Barber Sanitation Rules**

*PURPOSE: This rule establishes sanitary requirements for barber establishments, schools and persons lawfully practicing the occupation of barbering.*

(1) Physical facilities of barber establishments and schools shall consist of the following:

(A) Floors, Walls, Ceilings, Windows, Equipment and Contents. All floors, walls, ceilings, windows, equipment and contents shall be kept clean and in good repair. Use of cloth or plush-covered barber chairs is strictly prohibited;

(B) Lighting and Ventilation. All facilities shall be adequately lighted and sufficient ventilation shall be provided to dispel odors, condensation, and vapors. For this purpose, ventilating equipment such as individual fans and vents shall be provided as necessary;

(C) Restrooms. All barber establishments shall provide adequate and conveniently located restrooms for use by patrons and operators. All schools shall provide two (2) or more restrooms to separately accommodate male and female students. All functional sinks in barber schools and barber establishments shall be provided with hot and cold running water, soap (liquid or powder), paper towels, and shall be kept clean and in good repair. A functional sink may be located inside or near the restrooms;

(D) Water Supply and Waste Disposal. Hot (not to exceed one hundred twenty degrees (120°) Fahrenheit) and cold water must be available to all lavatories and shampoo bowls at all times. Lavatories and shampoo bowls shall be provided with soap (liquid or powder) and paper towels;

(E) Establishments in Residences. Establishments located in buildings which are also used as residences must be separate and apart from living quarters by solid floor to ceiling partitions. The establishment must contain the equipment used in the practice of barbering and this equipment must be kept in the separated establishment area. Beds of any description are not permitted, nor shall any room(s) equipped for barber establishments have any residential purposes.

1. Every establishment located in a building also used as a residence must have a separate entrance which shall not open off the living quarters. Doorways from within the establishment area shall be kept closed at all times.

2. All establishments which exist in buildings that also have living quarters must have restroom facilities located separate and apart from the living quarters. Restroom facilities shall be adequate and conveniently located for use by patrons and operators. All lavatories shall be provided with hot and cold running water, soap (liquid or powder) and paper towels and shall be kept clean and in good repair.

3. Establishments located in buildings which are also used as residences shall comply with all requirements contained in 20 CSR 2085-11.010, in addition to complying with the specific requirements of this subsection;

(F) Establishments and Schools Used for Other Business Purposes. Establishments may be used for other business purposes, except for the sale of products and/or services that may create sanitation or safety hazards to the public and shall be at the discretion of the board. Schools shall not be used for any other business purposes. The sale of hair products is acceptable; and

(G) Washing Machines and Dryers. Any washing machine or clothes dryer shall be located in a separate room from the working area if utilized in a facility.

(2) All barber establishments and schools shall comply with:

(A) Patron Protection:

1. Headrests shall be covered with a clean towel or paper protector for each usage;

2. Clean towels shall be used for each patron. A closed container or drawer shall be provided for clean towels;

3. Soiled towels shall be placed in a leakproof, covered receptacle immediately upon completion of use;

4. A newly laundered towel or neck strip shall be placed around each patron's neck to prevent the cape or hair cloth from touching skin;

5. All implements shall be disinfected after use on each patron (refer to subsection (2)(C));

6. Persons engaged in barbering shall wash their hands with soap (liquid or powder) and water before serving each patron; and

7. Persons engaged in barbering shall not attempt to remove moles or warts from a patron;

(B) Covered Waste Receptacles. Every barber establishment or school shall be required to have a covered waste receptacle for the disposal of hair and debris, and a covered waste receptacle for soiled towels. Hair clippings shall be swept up and disposed of in a covered receptacle after each patron;

(C) Disinfecting and Storing Implements. All implements used in barbering shall be disinfected before use on each patron with an Environmental Protection Agency (EPA)-registered disinfectant, which may be a spray solution. The label on the disinfectant shall show that it is EPA-registered with demonstrated bactericidal (disinfectant), virucidal, and fungicidal activity and shall be used according to the manufacturer's instructions. Every barber establishment or school shall have a sufficient supply of disinfectant and disinfectant that shall immediately be replaced if it becomes contaminated. All supplies that cannot be disinfected shall be disposed of in a covered waste receptacle immediately after use. Implements not in use shall be stored in a disinfectant solution or in a clean, dust-tight cabinet or drawer. The following disinfectant procedures shall be followed:

1. For non-electrical:

A. Wash in soapy water;

B. Rinse in clean water;

C. Totally immerse in an EPA-registered disinfectant used according to manufacturer's instructions;

D. Dry with clean cloth or air dry; and

E. Store in clean, dust-tight cabinet or drawer; and

2. For electrical:

A. Remove all foreign matter;

B. Disinfect with EPA-registered disinfectant according to manufacturer's instructions; and

C. Store in clean, dust-tight cabinet or drawer;

(D) Storage and Use of Products. All containers shall be covered when not in use and shall be clearly and correctly labeled to show the nature and intended use of the contents. Preparations used in barbering whose containers do not incorporate a dispensing mechanism shall be removed from their containers by using a new disposable device or a sanitized device, such as a spatula, spoon, or similar instrument, and shall not be removed by the use of the hands. Styptic pencils shall not be used in barbering;

(E) Animals/Pets. No barber establishment or school shall allow any animal/pet inside the facility at any time except for service animals whose whole purpose is to provide assistance to a patron while obtaining services;

(F) Personal Cleanliness. Every barber/student barber and their clothing, shall be kept in neat and clean condition at all times. Student barbers shall wear washable uniforms while in attendance;

(G) Disease Control. Except as otherwise provided by the Americans With Disabilities Act, a licensee, apprentice or student

with a communicable disease shall take all proper precautions to prevent the spread of the disease to any person while practicing barbering or cosmetology. A licensee, apprentice or student attending a patron known by the licensee, apprentice or student to have a communicable disease shall also take all proper precautions to prevent the spread of the disease to any person, except as otherwise provided by the Americans With Disabilities Act. Disposable gloves shall be worn by any licensee, apprentice or student with open wounds, dermatitis, or other non-intact skin of the hands;

(H) Injury/Blood Spill Procedure. If a cut is sustained and/or blood spill should occur, the following steps must be followed:

1. Licensee, apprentice, student or salesperson cut/blood spill procedure:

A. Licensee, apprentice, student or salesperson must stop service immediately;

B. Clean cut area with soap (liquid or powder) and water and apply antiseptic. If necessary, liquid, spray or powder styptic may be applied to stop bleeding. Note: Do not allow containers, brushes or nozzles to touch or contact the wound—use an applicator as appropriate;

C. Cover injury with adhesive bandage;

D. If work area and/or equipment are soiled with blood, the licensee, student, apprentice or salesperson shall place disposable gloves or a finger guard on their hands and clean/disinfect the area and soiled objects;

E. Dispose of all contaminated objects and disposable gloves in a covered waste receptacle and clean hands with an antimicrobial cleanser; and

F. Place a clean disposable glove on if cut is sustained on the hand.

2. Patron cut/blood spill procedure:

A. Licensee or student barber must stop service immediately;

B. Licensee or student barber must place disposable gloves on hands;

C. Cleanse cut area of patron, apply antiseptic and/or liquid styptic or spray styptic, as necessary. Note: Do not allow container or nozzles to touch or contact the wound—use an applicator as appropriate;

D. Cover cut area with adhesive bandage as indicated;

E. If work area and/or equipment are soiled with blood, licensee or student barber shall disinfect work area and/or blood spill area and dispose of or disinfect all contaminated objects;

F. Remove and dispose of disposable gloves, and clean hands with soap (liquid or powder) and water; and

G. Return to service;

(I) Covered Waste Receptacles. Any barber establishment or school shall be required to have covered waste receptacles for the disposal of hair. Hair clippings shall be swept up and disposed of in a covered waste receptacle after each patron; and

(J) Members, representatives, or inspectors of the board, upon finding any sanitation rule being violated in any barber establishment or barber school, shall notify the person(s) and/or owner(s) who is in violation and make a written report to the board.

*AUTHORITY: sections 328.060.2 and 328.100, RSMo 2000 and 328.115 and 329.025.1, RSMo Supp. 2006. Original rule filed Aug. 1, 2007.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately seventeen thousand forty-six dollars (\$17,046) 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 rule will cost private entities approximately two hundred fifteen thousand nine hundred thirty dollars*

*(\$215,930) 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to 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.*

**Department of Insurance, Financial Institutions and Professional Registration  
 Division of Professional Registration  
 PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
 Division 2085 - State Board of Cosmetology and Barber Examiners  
 Chapter 11 - Sanitation Rules - Barber and Cosmetology  
 Proposed Rule - 20 CSR 2085-11.010 Barber Sanitation Rules**

Prepared May 8, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance in the Aggregate
State Board of Cosmetology and Barber Examiners	\$17,046

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to conduct inspections, respond to inquiries, and entering data into the division's licensing system.
- 2) Expense and equipment costs are incurred for board expenses relating to inspections and the issuance and mailing of licenses.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure - 0%	Enforcement - 2%
Personal Service	\$0	\$4,853
Expense & Equipment	\$0	\$2,389
Transfers	\$0	\$9,804
<b>TOTAL</b>	<b>\$0</b>	<b>\$17,046</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2- Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
\$606,595	40% Enforcement	\$242,638

**Table 3- Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$298,595	60% Licensure	\$179,157
\$298,595	40% Enforcement	\$119,438

**Table 4- Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)



**PRIVATE ENTITY FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration**  
**Division 2085 - State Board of Cosmetology and Barber Examiners**  
**Chapter 11 - Sanitation Rules-Barber and Cosmetology**  
**Proposed Rule - 20 CSR 2085-11.010 Barber Sanitation Rules**  
 Prepared June 7, 2007 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 rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
286	New Barber Establishment (fan @ \$10)	\$2,860
286	New Barber Establishment (functional sink @ \$495)	\$141,570
286	New Barber Establishment (supplies @ \$250)	\$71,500
<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>		<b>\$215,930</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. The above estimates are based on FY06 and FY07 actuals and FY08 projections.
2. Supplies include paper towels, soap, spatula/spoon, towels/neck stips, disinfectants, antiseptic, band aides, disposable gloves, styptic, and waste receptacles. For the purposes of this fiscal note the board estimates an applicant will spend approximately \$250 for these supplies.
3. Cost associated with restrooms are not included in this fiscal note due to varying contractor prices and contract geographic locations.
4. The cost for a function sink includes faucet, sink, running hot water line, and installation of vent to the drain. For the purposes of this fiscal note the board estimates an applicant will spend approximately \$495 for a functional sink.
5. It is anticipated that the total cost 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.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2085—Board of Cosmetology and  
Barber Examiners  
Chapter 11—Sanitation Rules—Barber and Cosmetology**

**PROPOSED RULE**

**20 CSR 2085-11.020 Cosmetology Sanitation Rules**

*PURPOSE: This rule establishes sanitary requirements for schools, cosmetology establishments and persons practicing any cosmetology occupation.*

(1) Physical Facilities.

(A) Lighting and Ventilation. A minimum of thirty (30) footcandles light intensity shall be provided in all areas where all classified occupations of cosmetology are practiced. A minimum of five (5) footcandles must be provided in areas used for waiting rooms, storage, corridors, etc. For all physical facilities and retail cosmetic sales counters, sufficient ventilation shall be provided to dispel odors, condensates and vapors. For this purpose, ventilating equipment, such as individual fans, vents and hoods, shall be provided where needed.

(B) Floors, Walls, Ceilings, Equipment and Contents. For areas where all classified occupations of cosmetology are practiced, including retail cosmetic sales counters, all floors, walls, ceilings, equipment and contents shall be constructed of washable materials and must be kept clean and in good repair at all times. Commercial-type carpet may be used.

(C) Water Supply and Waste Disposal. For cosmetology establishments and schools in cities and towns where these facilities are available, water must be obtained from the public water supply system and wastewater must be drained through pipes into the public sewer system. In all towns or communities in which a public water supply or public sewer system is not available, the water must be obtained from an individual supply source approved by the Division of Environmental Quality. Wastewater and sewage must be disposed of into a suitable sewage treatment device constructed and operated in a manner approved by the Missouri Clean Water Commission. Hot and cold water must be available to all lavatories and shampoo bowls. Water from the supply to the hot water faucets must be piped through a continuous water heater capable of providing an ample supply of water not to exceed one hundred twenty degrees Fahrenheit (120° F) at all times. All plumbing in establishments and schools shall be installed in accordance with any applicable municipal, city or government requirements. All lavatories and shampoo bowls shall be provided with soap (liquid or powder) and individual towels.

(D) Restrooms. All cosmetology establishments shall provide adequate and conveniently located restrooms, for use by patrons and operators. All schools shall provide two (2) or more restrooms to separately accommodate male and female students. All restrooms shall be provided with, at least, an operating toilet, a functional sink with hot and cold running water, soap (liquid or powder) and individual towels. Floors, walls, ceilings and fixtures shall be made of washable materials and kept clean and in good repair at all times.

(E) Cosmetology Establishments in Residences. Establishments located in buildings which are also used as residences must be separate and apart from living quarters by solid floor to ceiling partitions. The establishment must contain that equipment used in the practice of all classified occupations of cosmetology, and this equipment must be kept in the separated establishment area. Beds of any description are not permitted, nor shall any room(s) equipped for cosmetology establishments have any residential purposes.

1. Every establishment located in a building also used as a residence must have a separate entrance which shall not open off the living quarters. Doorways from within the establishment area shall be kept closed at all times.

2. All establishments which exist in buildings that also having living quarters must have restroom facilities located separate and apart from the living quarters. Restroom facilities shall be adequate and conveniently located for use by patrons and operators. All lavatories shall be provided with hot and cold running water, soap (liquid or powder) and paper towels and shall be kept clean and in good repair.

3. Establishments located in buildings which are also used as residences shall comply with all requirements contained in 20 CSR 2085-11.020, in addition to complying with the specific requirements of this subsection.

(F) Washing Machines and Dryers. Any washing machine or clothes dryer shall be located in a separate room apart from the working area.

(2) Sanitation Requirements.

(A) Protection of the Patron.

1. Headrests shall be covered with a clean towel or paper protector for each usage.

2. Clean towels shall be used for each patron. A closed cabinet or drawer shall be provided for clean towels and linens.

3. Soiled towels shall be placed in a closeable, leakproof container immediately upon completion of use.

4. A new laundered towel or neck strip shall be placed around each patron's neck to prevent cape or hair cloth from touching skin.

5. Implements and instruments shall be sanitized after use on each patron.

(B) Animals. No animals shall be permitted in any cosmetology establishment or school or retail cosmetic sales counters at any time except service animals whose whole purpose is to provide assistance while obtaining services.

(C) Storage and Use of Powders, Creams, Emollients, Etc. For areas where all classified occupations of cosmetology are practiced, including retail cosmetic sales counters, open powder boxes and common powder puffs are forbidden. Powder must be used from shakers or other similar dispensing devices. Creams, emollients, and the like shall be removed from containers with clean, sanitized spatulas or may be dispensed on a sterile cotton swab. All containers shall be covered when not in use.

(D) Disinfecting and Storing Implements. All implements (instruments or tools) used in cosmetology establishments and schools, including scissors, clips, blades, rods, brushes, combs, etc. shall be thoroughly cleansed after each use. All implements which may come in contact directly or indirectly with the skin of the patron shall be disinfected with an Environmental Protection Agency (EPA)-registered disinfectant, which may be a spray solution. The label on the disinfectant shall show that it is EPA-registered with demonstrated bactericidal (disinfectant), virucidal, and fungicidal activity and shall be used according to the manufacturer's instructions. All implements shall be completely immersed in the solution or, if not capable of immersion, thoroughly dipped in the solution for a period of not less than five (5) minutes. Implements shall either be stored in the solution or removed and stored in a dust-tight cabinet, covered container or drawer at all times when not in use. The dust-tight cabinet, covered container or drawer shall be kept free of other items not capable of being disinfected. Implements shall be permitted to air dry.

(E) Disease Control. Except as otherwise provided by the Americans With Disabilities Act, a licensee, apprentice, student or retail cosmetic salesperson providing cosmetology services with a communicable disease shall take all proper precautions to prevent the spread of the disease to any person while practicing barbering, cosmetology or acting as a salesperson. A licensee, apprentice or student attending a patron known by the licensee, apprentice or barber to have a communicable disease shall also take all proper precautions to prevent the spread of the disease to any person, except as otherwise provided by the Americans With Disabilities Act. Disposable gloves shall be worn by any licensee, apprentice or student with open wounds, dermatitis, or other non-intact skin of the hands.

(F) Blood Spill Procedures. If a cut is sustained or a blood spill should occur, the following steps must be followed by the licensee, apprentice or salesperson:

1. Licensee, apprentice, student or salesperson cut/blood spill procedure:

A. Licensee, apprentice, student or salesperson must stop service immediately;

B. Clean cut area with soap (liquid or powder) and water and apply antiseptic. If necessary, liquid, spray or powder styptic may be applied to stop bleeding. Note: Do not allow containers, brushes or nozzles to touch or contact the wound—use an applicator as appropriate;

C. Cover injury with adhesive bandage;

D. If work area and/or equipment are soiled with blood, the licensee, student, apprentice or salesperson shall place disposable gloves or a finger guard on their hands and clean/disinfect the area and soiled objects;

E. Dispose of all contaminated objects and disposable gloves in a covered waste receptacle and clean hands with an antimicrobial cleanser; and

F. Place a clean disposable glove on if cut is sustained on the hand.

2. Patron cut/blood spill procedure:

A. Licensee or student must stop service immediately;

B. Licensee or student must place disposable gloves on hands;

C. Cleanse cut area of patron, apply antiseptic and/or liquid styptic or spray styptic, as necessary. Note: Do not allow container or nozzles to touch or contact the wound—use an applicator as appropriate;

D. Cover cut area with adhesive bandage as indicated;

E. If work area and/or equipment are soiled with blood, licensee or student barber shall disinfect work area and/or blood spill area and dispose of or disinfect all contaminated objects; and

F. Remove and dispose of all contaminated objects and disposable gloves and clean hands with an antimicrobial cleanser.

(G) Personal Cleanliness. Every operator, instructor or instructor trainee shall wear only washable clothing while working in a cosmetology establishment or school. All students and apprentices in any school or cosmetology establishment shall wear washable clothing while in attendance.

(H) Training Kit. No student or apprentice shall be permitted to take his/her training kit from the school or cosmetology establishment while in training.

(I) Covered Waste Receptacles. Any cosmetology establishment or school shall be required to have covered waste receptacles for the disposal of hair. Hair clippings shall be swept up and disposed of in a covered waste receptacle after each patron.

(J) No cosmetology licensee shall provide any cosmetology services that involve the use of any liquid product containing methyl methacrylate (MMA). Licensees are responsible for ensuring that their nail service products do not contain MMA as a monomer agent for cosmetic nail applications or any other purpose. Products containing ethyl or butyl methacrylate are acceptable and may be used to provide nail services.

(K) Upon request from a board inspector or board representative, any licensee in any licensed barber or cosmetology establishment must be able to provide the Material Safety Data Sheet (MSDS) for all service products in the establishment to verify that the chemicals in those products are appropriate and safe for public use.

*AUTHORITY: section 329.025.1, RSMo Supp. 2006. Original rule filed Aug. 1, 2007.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately seventeen thousand forty-six dollars (\$17,046) 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 rule will cost private entities approximately \$6,298,210 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to [cosbar@pr.mo.gov](mailto: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.*

**Department of Insurance, Financial Institutions and Professional Registration**  
**Division of Professional Registration**  
**PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration**  
**Division 2085 - State Board of Cosmetology and Barber Examiners**  
**Chapter 11 - Sanitation Rules - Barber and Cosmetology**  
**Proposed Rule - 20 CSR 2085-11.020 Cosmetology Sanitation Rules**

Prepared May 8, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance in the Aggregate
State Board of Cosmetology and Barber Examiners	\$17,046

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to conduct inspections, respond to inquiries, and entering data into the division's licensing system.
- 2) Expense and equipment costs are incurred for board expenses relating to inspections and the issuance and mailing of licenses.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 0%	Enforcement - 2%
Personal Service	\$0	\$4,853
Expense & Equipment	\$0	\$2,389
Transfers	\$0	\$9,804
<b>TOTAL</b>	<b>\$0</b>	<b>\$17,046</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2— Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
\$606,595	40% Enforcement	\$242,638

**Table 3— Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$298,595	60% Licensure	\$179,157
\$298,595	40% Enforcement	\$119,438

**Table 4— Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

## PRIVATE ENTITY FISCAL NOTE

## I. RULE NUMBER

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

**Division 2085 - State Board of Cosmetology and Barber Examiners**

**Chapter 11 - Sanitation Rules-Barber and Cosmetology**

**Proposed Rule - 20 CSR 2085-11.020 Cosmetology Sanitation Rules**

Prepared June 7, 2007 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 rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
8342	New Cosmetology Establishment (fan @ \$10)	\$83,420
8342	New Cosmetology Establishment (functional sink @ \$495)	\$4,129,290
8342	New Cosmetology Establishment (supplies @ \$250)	\$2,085,500
<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>		<b>\$6,298,210</b>

## III. WORKSHEET

See table above.

## IV. ASSUMPTION

1. The above estimates are based on FY06 and FY07 actuals and FY08 projections. The sanitation rules set forth in the rule strictly apply to full service salons only.
2. Supplies include paper towels, soap, spatula/spoon, towels/neck stips, disinfectants, antiseptic, band aides, disposable gloves, styptic, and waste receptacles. For the purposes of this fiscal note the board estimates an applicant will spend approximately \$250 for these supplies.
3. Cost associated with restrooms are not included in this fiscal note due to varying contractor prices and contract geographic locations.
4. The cost for a function sink includes faucet, sink, running hot water line, and installation of vent to the drain. For the purposes of this fiscal note the board estimates an applicant will spend approximately \$495 for a functional sink.
5. It is anticipated that the total cost 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.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2085—Board of Cosmetology and  
Barber Examiners  
Chapter 11—Sanitation Rules—Barber and Cosmetology**

**PROPOSED RULE**

**20 CSR 2085-11.030 Sanitation for Retail Cosmetic Sales  
Counters**

*PURPOSE:* This rule establishes sanitary requirements for retail cosmetic sales counters.

(1) Sanitation Requirements for Retail Cosmetic Sales.

(A) Protection of the Customer.

1. Headrest shall be covered with a clean towel or paper protector for each usage.
2. Clean towels shall be used for each patron. A closed cabinet or drawer shall be provided for clean towels and linens.
3. Soiled towels shall be placed in a closeable, leakproof container immediately upon completion of use and disposable cloths must be discarded immediately after use.
4. A new towel or neck strip shall be placed around each customer's neck to prevent cape or cloth from touching skin.
5. Retail cosmetic salespersons shall sanitize their hands before and after assisting each customer.
6. All applicators and appliances shall be thoroughly cleansed after each use. All nondisposable applicators or implements which may come in contact directly or indirectly with the skin of the patron shall be sanitized as set forth in 20 CSR 2085-11.020(2)(D).
7. Retail cosmetic sales counters will be required to have covered waste receptacles for the disposal of waste or soiled products.

(2) Every retail cosmetic sales counter shall be available for inspection by members or representatives of the board during normal working hours or at reasonable times as requested by the board.

*AUTHORITY:* sections 329.025.1 and 329.035.3, RSMo Supp. 2006. Original rule filed Aug. 1, 2007.

*PUBLIC COST:* This proposed rule will cost state agencies or political subdivisions approximately eight thousand five hundred twenty-three dollars (\$8,523) 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 rule will cost private entities approximately one hundred dollars (\$100) annually per retail sales counter 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to [cos-bar@pr.mo.gov](mailto:cos-bar@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.

**Department of Insurance, Financial Institutions and Professional Registration  
Division of Professional Registration  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
Division 2085 - State Board of Cosmetology and Barber Examiners  
Chapter 11 - Sanitation Rules - Barber and Cosmetology  
Proposed Rule - 20 CSR 2085-11.030 Sanitation for Retail Cosmetic Sales Counters**

Prepared May 8, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

<b>Affected Agency or Political Subdivision</b>	<b>Estimated Annual Cost of Compliance in the Aggregate</b>
<b>State Board of Cosmetology and Barber Examiners</b>	<b>\$8,523</b>

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to respond to inquiries.
- 2) Expense and equipment costs are incurred for board expenses relating to correspondence and law books.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

<b>Category of Allocation</b>	<b>Licensure - 0%</b>	<b>Enforcement - 1%</b>
Personal Service	\$0	\$2,426
Expense & Equipment	\$0	\$1,194
Transfers	\$0	\$4,902
<b>TOTAL</b>	<b>\$0</b>	<b>\$8,523</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)



**Table 2— Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
\$606,595	40% Enforcement	\$242,638

**Table 3— Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$298,595	60% Licensure	\$179,157
\$298,595	40% Enforcement	\$119,438

**Table 4— Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**PRIVATE ENTITY FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration**  
**Division 2085 - State Board of Cosmetology and Barber Examiners**  
**Chapter 11 - Sanitation Rules-Barber and Cosmetology**  
**Proposed Rule - 20 CSR 2085-11.030 Sanitation for Retail Cosmetic Sales Counters**  
 Prepared June 7, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

<b>Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:</b>	<b>Classification by type of the business entities which would likely be affected:</b>	<b>Estimated cost of compliance with the rule by affected entities:</b>
Unknown	Retail Cosmetic Sales Counters (supplies @ \$100/per counter)	\$100

**Estimated Annual Cost of Compliance for the Life of the Rule                   \$100**

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. Due to the unknown number of cosmetic counters the above figures reflect the anticipated cost per retail shop that would be required to purchase supplies.
2. Supplies include towels, neck strips, paper towels, leakproof container, sanitizer, waste receptacles. For the purposes of this fiscal note the board estimates an applicant will spend approximately \$100 for these supplies.
3. For the purposes of this fiscal note, the board is estimating a per counter cost versus an aggregate amount to the unknown number of cosmetic counters throughout the state.
4. It is anticipated that the total cost 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.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2085—Board of Cosmetology and Barber  
Examiners  
Chapter 12—Schools and Student Rules—Barber and  
Cosmetology**

**PROPOSED RULE**

**20 CSR 2085-12.010 General Rules and Application  
Requirements for All Schools**

*PURPOSE: This rule establishes requirements applicable to all barber and cosmetology schools and school applicants.*

(1) To operate a barber or cosmetology school in Missouri an applicant shall submit an application and applicable fee to the board at least sixty (60) days prior to the anticipated opening date of that facility. Applications to open a school shall be made on the forms provided by the board and may be obtained by writing the board at PO Box 1062, Jefferson City, MO 65102. The telephone number is (573) 751-0805 or (866) 762-9432 and the TDD number is (800) 735-2966.

(2) General Application Requirements. The board shall not consider any application to open a school unless it is fully completed, including supporting documents which must be attached to the application, with the applicable fee. The application shall be on a form approved by the board and shall contain the following information:

(A) Name and address of the owner(s) or lessor(s) and lessee(s) where appropriate;

(B) The school's complete mailing address;

(C) A copy of the proposed facility's floor plan, giving approximate dimensions and square footage;

(D) A list of the proposed equipment and training supplies by quantity and type for which barber school applicants shall include the minimum equipment and supplies required by 20 CSR 2085-12.020(2)(C) or, for cosmetology school applicants, shall include the minimum equipment and supplies required by 20 CSR 2085-12.040(2);

(E) A list detailing all implements and equipment that will be included in student kits;

(F) A list of the proposed school rules;

(G) The requisite fee;

(H) A brief description of the course curriculum, including the number of clock hours, credit hours or similar units of measure, whichever is applicable, to be assigned to each subject area;

(I) A sample lesson plan for each course in the curriculum, which must include those courses required by Chapters 328 and/or 329, RSMo, and the rules of the board, for the school license requested;

(J) The maximum enrollment allowed for the facility based on square footage;

(K) A copy of the student contract which shall comply with the following:

1. Student contracts submitted and used by barber school applicants must include a notice to the student that no less than one thousand (1,000) hours of training in a licensed school is required for that student to sit for the state barber examination; and

2. Student contracts submitted and used by cosmetology school applicants must include a notice to the student that no less than one thousand five hundred (1,500) hours of training in a licensed school or no less than one thousand two hundred twenty (1,220) hours of training in a licensed public vocational-technical school are required for cosmetology, and no less than four hundred (400) hours of training in any licensed school are required for manicuring and no less than seven hundred fifty (750) hours training in any licensed school are required for estheticians for that student to be eligible to sit for

the board examination;

(L) The name and address of each licensed instructor to be employed:

1. Any barber school having only one (1) instructor per fifteen (15) students shall state in their application the name and address of a substitute instructor who will be available; and

2. Any cosmetology school having only one (1) instructor per twenty-five (25) students shall state in their application the name and address of a substitute instructor who will be available; and

(M) Two (2) or more letters of reference for the applicants.

(3) Application Approval. Upon receipt of a properly completed application, the board, within a reasonable time, will arrange an appointment at the next regularly scheduled meeting of the board to discuss the proposed school provided, however, the application is received by the board no less than fourteen (14) days before the next meeting. If the application is received less than fourteen (14) days before the next meeting, then an appointment will be scheduled at the following meeting to discuss the proposed school.

(A) After the meeting between the applicant and the board, the board will decide to preliminarily approve or deny a license for the proposed facility no later than ninety (90) days after the board's receipt of the properly completed application, unless additional information is needed or additional time is required for the board to review the application submitted.

(B) If the board decides not to preliminarily approve the application, the applicant will be promptly notified in writing of the specific reasons for denial. Final approval of a school by the board will be made upon final inspection and approval of the proposed facility. The purpose of the final inspection is to approve or disapprove the condition of the school, to ensure the facility has all required equipment and is in compliance with the floor plan preliminarily approved by the board.

1. A school license will only be issued to applicants who are in compliance with the rules of the board and provisions of law applicable to the school sought to be licensed.

2. After final approval is given by the board, a license will be sent to the applicant. No barber or cosmetology school shall be opened in Missouri prior to receipt of its license from the board.

(4) Barber School Floor Plans. The floor plan submitted with an application for licensure as a barber school shall include the following:

(A) A reception area;

(B) A classroom for theory instruction with a reference library;

(C) A work station for each student for practical instruction which shall include a shampoo bowl, backbar, dust-tight cabinet or drawers, mirror not less than thirty inches (30") in diameter, and barber chair with headrest. Barber chairs shall be mechanically sound with a non-porous covering in good condition. Chairs shall be placed at least five feet (5') apart and each chair shall occupy not less than thirty-five (35) square feet of floor space. There shall be electrical outlets between every two (2) chairs;

(D) Two (2) or more restrooms that separately accommodate male and female students including sink with hot and cold running water, soap (liquid or powder) and paper towels;

(E) A dispensary for the preparation, mixing, storage, and disposal of supplies and chemicals used for disinfecting barbering implements;

(F) Manager(s) office;

(G) A student break room; and

(H) A janitor's closet for cleaning supplies.

(5) License Changes. Each license for a school issued by the board shall be valid only for the premises named and located at the address provided in the initial school license application. If at any time during the license period, the physical plant or operation of a school is moved to a new address, if ownership is transferred, or if substantial

interest fifty-one percent (51%) or more of a partnership or corporation is altered in a way as to affect the registered ownership, then the license for the school shall become void. It shall be the responsibility of the holder of the license of the school to notify the board of any changes.

(A) Change of Location. If the physical plant or operation of a school is to be moved to a new address, it shall be the responsibility of the school owner(s) to submit an application to open a school at a different location and the applicable fee to the board and meet all the requirements to obtain a license to operate the school prior to reopening at the new location.

1. The school owner shall submit a change of location application which shall include:

A. The name and address of the owner(s) or lessor(s) and lessee(s) where appropriate;

B. The school's complete mailing address;

C. A copy of the proposed facility's floor plan, giving approximate dimensions and square footage;

D. A list of the proposed equipment and training supplies by quantity and type which for barber school applicants shall include the minimum equipment and supplies required by 20 CSR 2085-12.020(2)(C) or, for cosmetology school applicants, shall include the minimum equipment and supplies required by 20 CSR 2085-12.040(2);

E. A list detailing all implements and equipment that will be included in student kits;

F. A list of the proposed school rules;

G. The requisite fee;

H. The maximum enrollment allowed for the facility based on square footage;

I. A copy of the student contract which shall comply with the applicable requirements of 20 CSR 2085-12.010(2)(K); and

J. The name and address of each licensed instructor to be employed, including the name and address of any substitute instructor as required by 20 CSR 2085-12.010(2)(L).

2. Final approval of a school by the board, based on a change of location, will be made upon final inspection of the establishment.

(B) Change of Ownership. It shall be the responsibility of the new owner(s) to submit an application to open a school and the applicable fee to the board and to meet all requirements to obtain a license to operate a school.

1. If there is to be a change in a substantial interest of a partnership or corporation which affects the registered ownership, the owner(s) shall make application in accordance with the rules of the board.

2. If there is to be a change in a minority interest of a partnership or corporation which does not affect the registered ownership, it shall be the responsibility of the holder(s) of the school license to submit a sworn affidavit to the board as notification of the change and to supply a full listing of partners/shareholders and ownership percentages of each.

3. Adding a co-owner. It shall be the responsibility of the co-owners to submit an application to open a school and the applicable fee to the board to obtain a license to operate a school.

4. Deleting a co-owner. It shall be the responsibility of the co-owners to immediately notify the board of any ownership change. The written notice shall serve as documentation of the change and a new application and fee shall not be required.

(C) Name Change of School. Notwithstanding any other rule promulgated by the board, the owners of the school shall notify the board immediately in writing of a change in a school name. The name change may be made on the renewal application for the school. Alternatively, the name change may be made during the license period if the owner(s) submit a change of name request on a form supplied by the board along with the school's license and the duplicate license fee. No school shall use any name prior to complying with the rules of the board for changing a school name and submitting all applicable fees.

(D) Termination of Operations. Any school voluntarily terminating its operation shall inform the board in writing prior to the anticipated closing date and in addition, properly terminate its students as set forth in section (9) of this rule, return all unused materials supplied by the board and supply the board with an address and telephone number where an authorized representative of the school can be contacted for additional information after the closing of the school.

(6) Inspections.

(A) A member, representative, or inspector of the board shall inspect the school prior to annual renewal and the school shall be in compliance with all applicable Missouri laws and rules of this board.

(B) Each school licensed in Missouri must be open to the members, representatives, or inspectors of the board for inspection at all times during normal working hours or at reasonable times as requested by the board. Every school licensed by the board shall have a complete student kit and a set of all textbooks available for inspectors to view at the time of inspection.

(7) Renewals.

(A) Each holder of a valid, current license to operate a school in Missouri shall, on or before the renewal date, submit an application for renewal of the school license and shall accompany it with the biennial renewal fee and shall provide the following information:

1. Name and address of the owner(s) or lessor(s) and lessee(s) where appropriate;

2. The school's complete mailing address;

3. A list detailing all implements and equipment that will be included in student kits;

4. The requisite fee;

5. The maximum enrollment allowed for the facility based on square footage; and

6. The name and address of each licensed instructor to be employed; provided, any school having less than the minimum number of instructors as required by the rules of the board for the school to be licensed shall also state the name and address of a substitute instructor who will be available.

(B) The holder(s) of a school license which has not been renewed by the date shall be required to submit a late fee in addition to the biennial renewal fee in order to reinstate the license. The holder(s) of a school license failing to reinstate the license within fourteen (14) days following the board's mailing by certified mail of notice to the holder(s) shall be subject to disciplinary action, shall terminate all students enrolled in the school as set forth in subsection (9)(B) of this rule and may reapply for a school license in accordance with the provisions of section (2) of this rule.

(8) Satellite Classrooms.

(A) Purpose. Satellite classrooms may only be used for teaching purposes. Students are prohibited from providing services to or demonstrations on the public in a satellite classroom.

(B) Eligibility. Any licensed school may apply for the addition of a satellite classroom.

(C) Location. Satellite classrooms must be located within a one (1) mile radius of the existing school.

(D) Equipment and Floor Space.

1. Satellite classrooms shall be equipped with at least one (1) restroom for student use.

2. Satellite classrooms shall be equipped with a sufficient number of tables and chairs to accommodate the number of students in attendance in each class.

3. Schools shall post a sign on the outside of each entrance into a satellite classroom, which reads, "Satellite Classroom for Students and Licensed Instructors Only."

4. Satellite classrooms shall have a minimum of five hundred (500) square feet for classroom instruction for up to twenty (20) students. For each additional student, satellite classrooms must have at

least an additional fifty (50) square feet. Schools may not include the square footage of the satellite classroom to meet the minimum square footage requirements for the school licensed.

(E) In addition to the instructor requirements for the school licensed, there must be at least one (1) licensed instructor present in the satellite classroom anytime students are present.

(F) Inspection. Satellite classrooms are subject to inspection in the same manner as the existing school. Schools are required to post the satellite classroom license in plain view within the satellite classroom at all times.

(G) Application for Licensure. If a satellite classroom is to be added, it shall be the responsibility of the holder(s) of the school license prior to opening the satellite classroom to submit an application for the addition of a satellite classroom on a form supplied by the board accompanied by a floor plan of the satellite classroom giving dimensions and square footage, and the satellite classroom application fee; have the satellite classroom inspected and approved by the board; and have received the satellite classroom license from the board.

(9) Enrollment and Termination of Students.

(A) Students must be seventeen (17) years of age by the time application is made for the state examination.

(B) It shall be the responsibility of the holder of the license to operate a school to submit student enrollment forms to the board at least two (2) weeks prior to the anticipated commencement of a student's studies. The application shall be on a form approved by the board, be properly completed and accompanied by the appropriate fee(s). No student shall receive any credit for training received at a school until the application is received and approved by the board and the student license is returned to the school. The student license shall be conspicuously displayed with a two inch square (2" × 2") photograph taken within the last five (5) years and is not transferable.

(C) Terminations. All persons holding a license to operate a school shall be responsible for submitting properly completed termination forms for all students who terminate their training. School license holders are responsible for obtaining termination forms from the board.

1. Termination forms must be submitted within two (2) weeks of the date of student's termination. The date of a student's termination is either: 1) The date the student affirmatively indicates to the school his/her intent to terminate training; or 2) The last day of any two (2)-week period during which the student failed to attend a single class. However, a school shall not terminate a student for up to six (6) weeks if the student notifies the school in writing of his/her leave of absence and the student's anticipated date of return. If the student does not return on the anticipated date of return, the school shall automatically terminate the student on that date.

(D) Transfer of Students. Any student desiring to change schools shall contact the school in which he/she is currently enrolled and request termination. The school shall terminate the student as required by 20 CSR 2085-12.010(9)(C) within two (2) weeks of the student's request to be terminated.

(E) No student shall be permitted to remove his/her training kit from the school while in training.

(F) Definition of Training Hours.

1. For purposes of cosmetology schools and students, "training hours" is defined as the number of clock or credit hours of instruction and training a student obtained and for which the school maintained a record of those hours for instruction and training.

2. For purposes of barber schools and students, "training hours" is defined as the number of clock hours of instruction and training a student obtained and for which the school maintained a record of those hours for instruction and training.

(10) Instructors. Every holder of a license to operate a school shall be responsible for providing continuous and adequate supervision of

the school's students by licensed instructors at all times during regular school hours.

(A) It shall be the responsibility of the holder of a license to operate a school to ensure that each licensed instructor teaching in that school submits to the board a proposed lesson plan for each course that they teach. The lesson plan must be approved by the board prior to the course being taught.

(B) Any school which has only one (1) regular instructor employed and present during regular school hours shall submit proof to the board that a substitute Missouri licensed instructor will be available to that school to assume continuous and uninterrupted instruction. Satisfactory proof shall be demonstrated by submitting an affidavit to the board, a contract of agreement, or other evidence found to be adequate and trustworthy, that verifies that a licensed Missouri substitute instructor will be available.

(C) To insure the adequate preparation of its students, every school shall allow its instructors to perform only bona fide demonstrations on members of the general public. A bona fide demonstration is one performed for the instruction of students where one (1) or more students actually observe or participate in the work being performed by the instructor for no monetary compensation for the specific service(s) demonstrated.

(D) Instructor licenses shall be conspicuously displayed with a two inch square (2" × 2") photograph taken within the last five (5) years.

(E) Instructor trainees shall not be counted as licensed instructors for purposes of meeting the minimum instructor requirements of the board for the applicable school and under no circumstances shall an instructor trainee be left solely in charge of any school.

(11) External Training and Coursework.

(A) No portion of a student's minimum training requirements may be obtained in course work or demonstrations outside the school of his/her enrollment unless a specific request for such a program of instruction is submitted to the board office by the school on a form supplied by the board and approval is given prior to the requested program. The request for a program of instruction shall include: the place, date and time of the activity, the objective of the activity, the person/organization conducting the activity, the number of students to attend the activity and the names of the instructor(s) to supervise the activity.

(B) The executive director of the board may approve up to three (3) valid field trip requests, after which time further requests will be considered by the board at its regularly scheduled board meeting. Requests received less than fourteen (14) days prior to the next meeting shall be placed on the agenda for the following meeting.

(C) The required ratio of instructor supervision shall be maintained and student attendance at the activity verified. Credit shall not be given for time in transit to and from the activity.

(12) Minimum Standards for Accountability.

(A) School emphasis shall be placed on student training exclusively.

(B) Every school shall maintain an annual overall pass/fail rate of seventy percent (70%) for both written and practical portions of the licensure examination for each classification of the profession taught. If a school's pass/fail rate falls below seventy percent (70%) in a calendar year, the school will have thirty (30) days from the date of notification to submit a plan of action to the board. The pass/fail rate in question will be for first time candidates only. The pass/fail rate must increase by five percent (5%) the first year, then must meet or exceed that standard for the next two (2) years, or the school license shall be subject to discipline.

(13) Advertising. Signs shall be displayed in all schools stating that all work is done by students. Schools advertising prices for services must state that all work is done by students and the lettering of the advertisement stating that work is performed by students must be as large as the lettering used to denote the advertised prices.

(14) All services rendered to the general public in a school shall be performed by students. An instructor shall not operate a chair or serve customers in a school. All work performed by the student on a customer shall be inspected and approved by an instructor before the customer exits the school. Students shall not exit from classroom instruction or practical or written examinations to perform barbering or cosmetology services on customers.

(15) Physical Premises. The building and quarters that the school occupies shall be clean, well painted, well ventilated and adequately lighted with sufficient room.

(A) There shall be no smoking in instructional areas of the school.

(B) All implements and school equipment, including furniture and fixtures, shall be kept in good working order and repair.

(16) Failure of any school to comply with any applicable rule of the board shall be considered grounds for suspension or revocation of a license to operate a school.

(17) As used in the rules of the board, the term "school" shall also include a college of cosmetology or barber instruction.

*AUTHORITY: sections 328.090, 328.120 and 329.025.1 and 329.040, RSMo Supp. 2006. Original rule filed Aug. 10, 2007.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately eight thousand five hundred twenty-three dollars (\$8,523) 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 rule will cost private entities approximately eight thousand four hundred sixty-four dollars and ten cents (\$8,464.10) annually and forty-six thousand five hundred thirty-eight dollars and thirteen cents (\$46,538.13) biennially 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to [cos-bar@pr.mo.gov](mailto:cos-bar@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.*

**Department of Insurance, Financial Institutions and Professional Registration  
 Division of Professional Registration  
 PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
 Division 2085 - State Board of Cosmetology and Barber Examiners  
 Chapter 12 - Schools and Student Rules - Barber and Cosmetology  
 Proposed Rule - 20 CSR 2085-12.010 General Rules and Application Requirements for All Schools**

**II. SUMMARY OF FISCAL IMPACT**

**II. SUMMARY OF FISCAL IMPACT**

<b>Affected Agency or Political Subdivision</b>	<b>Estimated Annual Cost of Compliance in the Aggregate</b>
<b>State Board of Cosmetology and Barber Examiners</b>	<b>\$8,523</b>

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to process applications and enter data into the division's licensing system.
- 2) Expense and equipment costs are incurred for board expenses relating to inspections and the issuance and mailing of licenses.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

<b>Category of Allocation</b>	<b>Licensure – 0%</b>	<b>Enforcement - 1%</b>
Personal Service	\$0	\$2,426
Expense & Equipment	\$0	\$1,194
Transfers	\$0	\$4,902
<b>TOTAL</b>	<b>\$0</b>	<b>\$8,523</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
\$606,595	40% Enforcement	\$242,638

**Table 3– Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$298,595	60% Licensure	\$179,157
\$298,595	40% Enforcement	\$119,438

**Table 4– Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)



**PRIVATE ENTITY FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration**  
**Division 2085 - State Board of Cosmetology and Barber Examiners**  
**Chapter 12 - Schools and Student Rules - Barber and Cosmetology**  
**Proposed Rule - 20 CSR 2085-12.010 General Rules and Application Requirements for All Schools**  
 Prepared June 7, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

**Annual Cost of Compliance**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
1	Barber Schools (Application Fee @ \$500)	\$500
1	Barber Schools (Supporting Documentation @ \$75)	\$75
1	Barbers Schools (Supplies @ \$25)	\$25
0	Barber Schools (Change of Location @ \$500)	\$0
0	Barber Schools (Change of Ownership/Adding a Owner @ \$500)	\$0
5	Cosmetology Schools (School Application Fee @ \$500)	\$2,500
5	Cosmetology Schools (Supporting Documentation @ \$75)	\$375
5	Cosmetology Schools (Supplies @ \$25)	\$125
5	Cosmetology Schools (Notary @ \$2)	\$10
1	Licensees (Change of Location @ \$500)	\$500
3	Licensees (Change of Ownership @ \$300)	\$900
1	Licensees (Adding Co-Owner @ \$50)	\$50
10	Licensees (Postage @ \$.41)	\$4.10
4000	Students (Enrollment Termination - postage and copies of contract \$1)	\$4,000

**Estimated Annual Cost of Compliance for the Life of the Rule** **\$8,464.10**

**Biennial Cost of Compliance**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
93	Licensees (Renewal @ \$500)	\$46,500
93	Licensees (Postage @ \$.41)	\$38.13
<b>Estimated Biennial Cost of Compliance for the Life of the Rule</b>		<b>\$46,538.13</b>

**IV. ASSUMPTION**

1. The above estimates are based on FY06 and FY07 actuals and FY08 projections.
2. Supporting documentation includes floor plans, equipment and supply listings, lesson plans, contracts, and rules. For the purpose of this fiscal note, the board estimates and new school will spend approximately \$75 in copying fees.
3. Per Satellite Classrooms - The board estimates each table will cost approximately \$150 and each chair will cost \$25.
4. Due to various contract prices and various contract locations, estimates for restrooms are not included in this fiscal note.
5. The board is statutorily obligated to enforce and administer the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo. Pursuant to section 329.105, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 328.010-328.160 and 329.010-329.265, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo.
6. It is anticipated that the total cost 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.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2085—Board of Cosmetology and Barber  
Examiners**

**Chapter 12—Schools and Student Rules—Barber and  
Cosmetology**

**PROPOSED RULE**

**20 CSR 2085-12.020 Specific Requirements for Barber Schools**

*PURPOSE:* This rule establishes requirements applicable specifically to barber schools.

(1) Instructors.

(A) Every barber school shall employ, and have present during regular school hours, a minimum of one (1) Missouri licensed instructor for every fifteen (15) students in attendance for a given class period.

(B) In addition to the requirements set forth in this rule, the school shall employ and have present during regular school hours a minimum of one (1) licensed instructor for every twenty (20) students in attendance for a given class period in a satellite classroom. If, at anytime, twenty-one (21) or more students are in attendance in the satellite classroom, at least two (2) licensed instructors must be present in the satellite classroom.

(2) Physical Facilities.

(A) A school owner may change the school floor plan during the term of licensure, provided that, the physical facilities of the school shall at all times include all of the items/areas required in the floor plan for initial applicants for a barber school license under this rule and 20 CSR 2085-12.010(4). A copy of the revised floor plan shall be submitted to the board within fifteen (15) days after the revised changes are made.

(B) The workroom floors of a barber school shall be either tiled or covered with linoleum or comparable floor covering and shall be clean and in good condition.

(C) A barber school shall have the following minimum equipment and supplies:

1. Instructional fixtures for instructor(s) and students, such as a chalkboard, anatomic chart, desks or tables and chairs;
2. A reference library for students containing at least a dictionary, current textbook, current Missouri law and rules governing barbering;
3. A work station for each student scheduled for practical instruction supplied with hot and cold running water;
4. A metal fire-resistant and locking filing cabinet for school and student records;
5. First aid dispensary;
6. Sanitary drinking facilities;
7. Chairs in reception area to accommodate patrons;
8. At least three (3) mannequins;
9. One (1) large closeable sanitary cabinet or container for clean towels;
10. One (1) large covered receptacle for soiled towels;
11. One (1) large covered receptacle for debris and hair;
12. Restroom facilities shall have hot and cold running water, soap (liquid or powder) and paper towels;
13. Each work station shall have at least one (1) liquid sanitizer;
14. A sufficient supply of tonics, lotions, shampoos, and chemical preparations used in processing hair and hair waving;
15. Ample supply of disposable gloves;
16. Ample supply of clean towels; and
17. At least one (1) electric latherizer for every ten (10) students.

(3) Training Kits. A barber school shall provide each student with a non-returnable training kit which shall include at least the following:

- (A) Textbook approved by the board;
- (B) Four (4) combs and three (3) brushes;
- (C) One (1) hair dryer;
- (D) One (1) straight razor with interchangeable blades;
- (E) One (1) pair of haircutting shears;
- (F) One (1) pair of thinning shears;
- (G) One (1) clipper with interchangeable blades sizes 1 and .000 or an adjustable clipper;
- (H) Two (2) washable smocks;
- (I) One (1) dozen wave rods;
- (J) One (1) hair pick; and
- (K) One (1) wig brush.

(4) Record Retention. A barber school shall use a time clock to maintain an actual record of the exact number of hours worked each day by each student. A school shall maintain current transcripts and records of each student enrolled, including the hours and dates of attendance and grades of all examinations.

(5) All barber schools shall be in compliance with 20 CSR 2085-11.010 and shall post the sanitation rules in a conspicuous place within the school.

*AUTHORITY:* sections 328.020, 328.090 and 329.025.1, RSMo Supp. 2006. Original rule filed Aug. 10, 2007.

*PUBLIC COST:* This proposed rule will cost state agencies or political subdivisions approximately twelve thousand seven hundred eighty-four dollars (\$12,784) 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 rule will cost private entities approximately five thousand five hundred thirty-nine dollars (\$5,539) 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to [cos-bar@pr.mo.gov](mailto:cos-bar@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.

**Department of Insurance, Financial Institutions and Professional Registration  
Division of Professional Registration  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
Division 2085 - State Board of Cosmetology and Barber Examiners  
Chapter 12 - Schools and Student Rules - Barber and Cosmetology  
Proposed Rule - 20 CSR 2085-12.020 Specific Requirements for Barber Schools**

Prepared May 8, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance in the Aggregate
State Board of Cosmetology and Barber Examiners	\$12,784

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to process applications and enter data into the division's licensing system.
- 2) Expense and equipment costs are incurred for board expenses relating to inspections and the issuance and mailing of licenses.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure - 1%	Enforcement - 0%
Personal Service	\$3,640	\$0
Expense & Equipment	\$1,792	\$0
Transfers	\$7,353	\$0
<b>TOTAL</b>	<b>\$12,784</b>	<b>\$0</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2— Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
\$606,595	40% Enforcement	\$242,638

**Table 3— Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$298,595	60% Licensure	\$179,157
\$298,595	40% Enforcement	\$119,438

**Table 4— Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

## PRIVATE ENTITY FISCAL NOTE

## I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
 Division 2085 - State Board of Cosmetology and Barber Examiners  
 Chapter 12 - Schools and Student Rules - Barber and Cosmetology  
 Proposed Rule - 20 CSR 2085-12.020 Specific Requirements for Barber Schools  
 Prepared June 7, 2007 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 rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
1	Barber Schools (Supplies @ \$25)	\$25
1	Barber Schools (Equipment @ \$5514)	\$5,514
<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>		<b>\$5,539.00</b>

## III. WORKSHEET

See table above.

## IV. ASSUMPTION

- The above estimates are based on FY06 and FY07 actuals and FY08 projections.
- Supplies include paper towels, soap, spatula/spoon, towels/neck strips, disinfectants, antiseptic, band aides, disposable gloves, styptic, waste receptacles. For the purposes of this fiscal note the board estimates an applicant will spend approximately \$25.
- Equipment includes:
 

Barber Chair	\$1,000.00 per chair
Work station with bowl with back bar	\$700.00
Lockers/set of 6	\$400.00
metal fire resistant file cabinet	\$150.00
Sanitary drinking facilities	\$200.00
table	\$150.00
chair	\$25.00
blackboard	\$150.00
Visual Aides	\$250.00
Reference Library	\$150.00
Electric Latherizer	\$60.00
Tonic Lotions Shampoos and Perms	\$1,300.00 (\$50/every other week)
Disposable Gloves	\$60.00 (\$5/per month)
smocks	\$40.00 (\$20/per smock)
clipper	\$250.00
wig brush	\$5.00
thinning sheers	\$25.00
hair cutting shears	\$50.00
Combs	\$50.00
Hair dryer	\$20.00
Mannequins and holders	\$129.00 \$43/per mannequin and holder
Time Clock	\$350.00
	<b>\$5,514</b>

4. Cost for electrical outlets, restrooms, reception area, room for classroom instruction, workstation, dispensary, managers office, student break room and janitors closet are not included in this fiscal note due to various contractor rates and various geographic contractor locations.
5. The board is statutorily obligated to enforce and administer the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo. Pursuant to section 329.105, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 328.010-328.160 and 329.010-329.265, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo.
6. It is anticipated that the total cost 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.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2085—Board of Cosmetology and Barber  
Examiners**

**Chapter 12—Schools and Student Rules—Barber and  
Cosmetology**

**PROPOSED RULE**

**20 CSR 2085-12.030 Curriculum Prescribed for Barber Schools/  
Colleges**

*PURPOSE:* This rule establishes general requirements for barber school curriculum and teaching (instructor) requirements.

(1) Missouri barber schools shall provide a minimum of one thousand (1,000) hours of training over a period of not less than six (6) months. Apprenticeship training in Missouri shall provide a minimum of two thousand (2,000) hours of training for a period not to exceed five (5) years. The subjects and the minimum hours in each are listed in Columns A and B in this section.

<b>Subject</b>	<b>Column A Minimum Hours Student</b>	<b>Column B Minimum Hours Apprentice</b>
(A) History	5	10
(B) Professional Image	5	10
(C) Bacteriology	5	10
(D) Sterilization, Sanitation, and Safe Work Practices	20	40
(E) Implements, Tools, And Equipment	15	30
(F) Properties and Disorders of the Skin, Scalp, and Hair	15	30
(G) Treatment of Hair and Scalp	20	40
(H) Facial Massage And Treatments	5	10
(I) Shaving	35	70
(J) Haircutting	425	850
(K) Hairstyling	325	650
(L) Mustache and Beard Design	5	10
(M) Permanent Waving	30	60
(N) Chemical Hair Relaxing and Soft Curl Permanents	30	60
(O) Hair Coloring	30	60
(P) Hairpieces	5	10
(Q) Chemistry	5	10
(R) Anatomy and Physiology	5	10
(S) Salesmanship and Establishment Management	5	10
(T) State Law	10	20

(2) All barber students shall receive not less than one (1) hour of combined lectures and demonstrations each business day, excluding Saturday.

*AUTHORITY:* sections 328.090, 328.120 and 329.025(1), RSMo Supp. 2006. Original rule filed Aug. 1, 2007.

*PUBLIC COST:* This proposed rule will cost state agencies or political subdivisions approximately eight thousand five hundred twenty-three dollars (\$8,523) 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 rule 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to [cosbar@pr.mo.gov](mailto: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.



**Department of Insurance, Financial Institutions and Professional Registration  
Division of Professional Registration  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
Division 2085 - State Board of Cosmetology and Barber Examiners  
Chapter 12 - Schools and Student Rules - Barber and Cosmetology  
Proposed Rule - 20 CSR 2085-12.030 Curriculum Prescribed for Barber Schools/Colleges**

Prepared May 8, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance in the Aggregate
State Board of Cosmetology and Barber Examiners	\$8,523

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to respond to inquiries.
- 2) Expense and equipment costs are incurred for board expenses relating to correspondence and law books.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 0%	Enforcement - 1%
Personal Service	\$0	\$2,426
Expense & Equipment	\$0	\$1,194
Transfers	\$0	\$4,902
<b>TOTAL</b>	<b>\$0</b>	<b>\$8,523</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
\$606,595	40% Enforcement	\$242,638

**Table 3– Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$298,595	60% Licensure	\$179,157
\$298,595	40% Enforcement	\$119,438

**Table 4– Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2085—Board of Cosmetology and Barber  
Examiners**

**Chapter 12—Schools and Student Rules—Barber and  
Cosmetology**

**PROPOSED RULE**

**20 CSR 2085-12.035 Requirements for Barber Students**

*PURPOSE:* This rule establishes qualifications and requirements for barber students.

(1) It shall be the responsibility of the school to submit to the board at least two (2) weeks prior to the anticipated date of student barber training the following:

(A) A completed student application for admission to barber training;

(B) Pursuant to section 328.080, RSMo, a medical examination form;

(C) Proof of age—copy of a birth certificate or driver's license (applicant must be seventeen (17) years of age by the time application is made for examination);

(D) Two (2) small two inch square (2" × 2") passport photographs of the student; and

(E) Applicable fee.

(2) Upon board approval of a student application for admission to barber training, the board shall issue to the school a student registration which shall be conspicuously posted at each student's work station.

(3) Upon a successfully completed course of barber training, provided the board is in receipt of a completed student transcript and student registration, the student may apply for the barber examination by submitting to the board at least fourteen (14) days prior to examination date, a completed application and applicable fee.

(4) Upon graduation from barber training, the student registration to work under the supervision of a licensed barber operating in a current licensed barber establishment may be extended by the board to ten (10) days following the date of the first available examination for licensure. Extended student registration shall be posted in front of the working chair. Extended student registration shall be received by the board upon its expiration.

(5) No training received in a school may be credited towards the fulfillment of the hours necessary in an apprenticeship program and no training received in a barber establishment may be credited towards the hours necessary in a school to meet the minimum requirements necessary to qualify for a state examination.

*AUTHORITY:* sections 328.120 and 329.025.1, RSMo Supp. 2006. Original rule filed Aug. 1, 2007.

*PUBLIC COST:* This proposed rule will cost state agencies or political subdivisions approximately eight thousand five hundred twenty-three dollars (\$8,523) 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:* The proposed rule will cost private entities approximately four thousand eight hundred forty dollars (\$4,840) 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to [cosbar@pr.mo.gov](mailto: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.

**Department of Insurance, Financial Institutions and Professional Registration  
Division of Professional Registration  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
Division 2085 - State Board of Cosmetology and Barber Examiners  
Chapter 12 - Schools and Student Rules - Barber and Cosmetology  
Proposed Rule - 20 CSR 2085-12.035 Requirements for Barber Students**

Prepared May 8, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance in the Aggregate
State Board of Cosmetology and Barber Examiners	\$8,523

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to process applications and enter data into the division's licensing system.
- 2) Expense and equipment costs are incurred for board expenses relating to the issuance and mailing of licenses.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 0%	Enforcement - 1%
Personal Service	\$0	\$2,426
Expense & Equipment	\$0	\$1,194
Transfers	\$0	\$4,902
<b>TOTAL</b>	<b>\$0</b>	<b>\$8,523</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
\$606,595	40% Enforcement	\$242,638

**Table 3– Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$298,595	60% Licensure	\$179,157
\$298,595	40% Enforcement	\$119,438

**Table 4– Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

## PRIVATE ENTITY FISCAL NOTE

## I. RULE NUMBER

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

**Division 2085 - State Board of Cosmetology and Barber Examiners**

**Chapter 12 - Schools and Student Rules - Barber and Cosmetology**

**Proposed Rule - 20 CSR 2085-12.035 Requirements for Barber Students**

Prepared June 7, 2007 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 rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
172	Students (Enrollment Application Fee @ \$25)	\$4,300
1	Applicants (Foreign Cosmetology Training Verification @ \$125)	\$125
172	Applicants (Notary @ \$2)	\$344
172	Licensees (Postage @ \$.41)	\$71

**Estimated Annual Cost of  
Compliance for the Life of the Rule** **\$4,840**

## III. WORKSHEET

See table above.

## IV. ASSUMPTION

1. The above estimates are based on FY06 and FY07 actuals and FY08 projections.
2. The board is statutorily obligated to enforce and administer the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo. Pursuant to section 329.105, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 328.010-328.160 and 329.010-329.265, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo.
3. It is anticipated that the total cost 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.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2085—Board of Cosmetology and Barber  
Examiners  
Chapter 12—Schools and Student Rules—Barber and  
Cosmetology**

**PROPOSED RULE**

**20 CSR 2085-12.040 Specific Requirements for Cosmetology  
Schools**

*PURPOSE: This rule establishes the licensing procedure and requirements for schools of cosmetology.*

(1) The holder(s) of the cosmetology school license shall employ and have present during regular school hours a competent licensed instructor for every twenty-five (25) students in attendance for a given class period.

(2) Minimum Equipment and Training Supplies. All schools of cosmetology teaching the occupations of Class-CA or Class-CH cosmetology, as defined in section 329.010(5), RSMo, in Missouri shall have on hand and maintain in good working condition at all times the following equipment and training supplies:

- (A) One (1) large dispensary;
- (B) Twenty (20) lockers;
- (C) Two (2) or more restrooms to separately accommodate male and female students;
- (D) A metal fire-resistant and locking filing cabinet for school and student records;
- (E) Sixteen (16) dresserettes, mirrors and chairs;
- (F) Ten (10) hair dryers and chairs;
- (G) Two (2) facial chairs;
- (H) Tables and chairs sufficient for the number of students in attendance;
- (I) Sterilizers.

1. Five (5) large wet sterilizers or individual wet containers in each station of the clinic that are large enough to cover combs and brushes (each shall contain a wet sterilizing agent).

2. Three (3) dry sterilizers or individual dry containers in each station of the clinic that are large enough to hold combs and brushes clear and free of unsterilized items and tool;

(J) Six (6) shampoo bowls equipped with hot and cold running water plus chairs;

(K) Cold wave equipment sufficient for twenty (20) permanents on all sized rods;

(L) Four (4) manicure tables, stools and manicure equipment sets;

(M) First-aid facilities;

(N) Visual aids on the circulatory system, bones, muscles, nerves, anatomy, pH scale and history of hair and nails;

(O) One (1) Complete Visual Aid Teaching System. This visual aid teaching system may include, but is not limited to, the following items: video recorder, overhead projector, film projector, educational films and screen;

(P) One (1) large blackboard;

(Q) Sanitary drinking facilities;

(R) One (1) time clock for student hours or a reliable record keeping system for tracking and recording student hours;

(S) Twenty (20) mannequins plus working tables for same;

(T) A reference library for students containing the following suggested materials:

1. Textbooks on the theory in cosmetology for each student, textbooks on cosmetology establishment management and buying, textbooks on psychology of salesmanship a collegiate dictionary, a beauty culture dictionary and trade magazines. All textbooks must be current.

2. Textbooks, if necessary for coursework, for each student. Student shall receive textbooks necessary for coursework within forty-eight (48) hours of the start date of the course for which the textbook is needed. Textbooks provided must be current and new; photocopies are not acceptable;

(U) A janitor's closet for all cleaning supplies;

(V) One (1) large closeable sanitary container for clean towels;

(W) One (1) large closeable container for soiled towels;

(X) One (1) closeable container for hair clippings; and

(Y) Individual student kit materials for each student enrolled which shall include thermal equipment.

1. All implements and equipment contained in the student kits must be new.

2. Students shall receive student kits prior to the completion of their training.

3. All kits shall be kept clean and remain free of unsterilized items and tools.

4. No student shall be permitted to remove his/her training kit from the school or cosmetology establishment while in training.

(3) All students in a cosmetology school shall wear washable clothing while in attendance.

(4) Training and Calculation of Hours. This rule clarifies hour requirements as authorized in section 329.040, RSMo.

(A) Minimum—Maximum Hours Accepted.

1. Each school or public institution shall define, for its own purposes, what constitutes a full-time, part-time or evening student or instructor trainee but will be required to designate one (1) of these classifications for each individual enrolled in its program of study.

2. All students and instructor trainees shall be enrolled in a course of study of no less than three (3) hours per day and no more than twelve (12) hours per day with a weekly total that is no less than fifteen (15) hours and no more than seventy-two (72) hours.

3. No training hours may be counted towards satisfaction of more than one course of study or classification in a Missouri cosmetology school, however, nothing stated herein prohibits the transfer of training hours between Class CH-hairdressing and Class CA-hair-dressing and manicuring course of study.

4. No training received in a school may be credited towards the fulfillment of the hours necessary in an apprenticeship program and no training received in a beauty cosmetology establishment may be credited towards the hours necessary in a school to meet the minimum requirements necessary to qualify for a state examination.

(5) Change of Status. No student, instructor trainee or apprentice shall be permitted to change his/her designated status of enrollment except by the submission of a properly completed change of status form to the board in accordance with 20 CSR 2085-12.060(1)(C).

(6) Any school which teaches all of the classified occupations of cosmetology in Missouri shall employ and have present in the school a minimum of one (1) licensed instructor for every twenty-five (25) students in attendance for a given class period provided that one (1) to ten (10) additional students may be in attendance with the assistance of an instructor trainee. Instructor trainees shall not be considered students for purposes of this requirement. Additionally, any school which teaches all of the classified occupations of cosmetology in Missouri shall employ and have present in the school a minimum of one (1) licensed instructor for every three (3) instructor trainees in attendance for a given class period.

*AUTHORITY: sections 329.025.1 and 329.040, RSMo Supp. 2006. Original rule filed Aug. 10, 2007.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately eight thousand five hundred twenty-three dollars (\$8,523) 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 rule will cost private entities approximately one hundred twelve thousand five hundred eighty dollars (\$112,580) 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to [cos-bar@pr.mo.gov](mailto:cos-bar@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.*



**Department of Insurance, Financial Institutions and Professional Registration  
Division of Professional Registration  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
Division 2085 - State Board of Cosmetology and Barber Examiners  
Chapter 12 - Schools and Student Rules - Barber and Cosmetology  
Proposed Rule - 20 CSR 2085-12.040 Specific Requirements for Cosmetology Schools**

Prepared May 8, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

<b>Affected Agency or Political Subdivision</b>	<b>Estimated Annual Cost of Compliance in the Aggregate</b>
<b>State Board of Cosmetology and Barber Examiners</b>	<b>\$8,523</b>

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to process applications and enter data into the division's licensing system.
- 2) Expense and equipment costs are incurred for board expenses relating to inspections and the issuance and mailing of licenses.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

<b>Category of Allocation</b>	<b>Licensure – 0%</b>	<b>Enforcement - 1%</b>
Personal Service	\$0	\$2,426
Expense & Equipment	\$0	\$1,194
Transfers	\$0	\$4,902
<b>TOTAL</b>	<b>\$0</b>	<b>\$8,523</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
\$606,595	40% Enforcement	\$242,638

**Table 3– Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$298,595	60% Licensure	\$179,157
\$298,595	40% Enforcement	\$119,438

**Table 4– Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)



first aid kit	\$40.00
visual aides	\$250.00
Visual aide teaching system	\$1,550.00
Time Clock	\$350.00
(20) Mannequins and holders	\$860.00 (\$43/per mannequin and holder)
Reference Library	\$150.00
Cleaning Supplies	\$100.00
(2) Sanitary containers	\$200.00 (\$100/per container)
trash can for hair clippings	\$8.00
Cosmetology Student kits	\$300.00
	<u>\$22,491.00</u>

4. Cost for electrical outlets, restrooms, reception area, room for classroom instruction, workstation, dispensary, managers office, student break room and janitors closet are not included in this fiscal note due to various contractor rates and various geographic contractor locations.
5. The board is statutorily obligated to enforce and administer the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo. Pursuant to section 329.105, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 328.010-328.160 and 329.010-329.265, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo.
6. It is anticipated that the total cost 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.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
Division 2085—Board of Cosmetology and  
Barber Examiners  
Chapter 12—Schools and Student Rules—Barber and  
Cosmetology**

**PROPOSED RULE**

**20 CSR 2085-12.050 Curriculum Prescribed for Cosmetology Schools**

*PURPOSE:* This rule establishes the curriculum requirements prescribed for cosmetology schools, to be consistent with Chapter 329, RSMo.

(1) School Requirements.

(A) Minimum Training Requirements.

1. The subjects and the minimum hours in each subject for the cosmetology programs in private schools and for the esthetician and manicuring programs in all schools are set forth in section 329.040, RSMo.

2. All public vocational-technical schools of cosmetology in Missouri shall provide a minimum of one thousand two hundred twenty (1,220) hours of training for cosmetology over a period of not less than six (6) months in the appropriate subjects. The subjects and the minimum hours in each are listed in Column A of paragraph (1)(A)3. of this section.

3. All programs of apprenticeship training in Missouri shall provide a minimum of three thousand (3,000) hours of training for cosmetology, a minimum of fifteen hundred (1,500) hours of training for esthetician, or a minimum of eight hundred (800) hours of training for manicuring. The subjects and the minimum hours in each are listed in Columns B, C, and D in this paragraph.

<b>Subject</b>	<b>Column A Vo-Tech Student</b>	<b>Column B Cosmetologist Apprentice</b>	<b>Column C Manicurist Apprentice</b>
Shampooing of all kinds	40	80	
Hair coloring, bleaches and rinses	130	260	
Hair cutting and shaping	130	260	
Permanent waving and relaxing	150	250	
Hair setting, pin curls, fingerwaves, thermal curling	230	450	
Combouts and hair styling techniques	105	210	
Scalp treatments and scalp diseases	30	60	
Facials, eyebrows and arches	40	80	
Manicuring hand and arm massage, and treatment of nails	110	220	440
Cosmetic chemistry	25	50	
Salesmanship and establishment management	10	20	40
Sanitation and sterilization	30	60	40
Anatomy	20	40	20
State law	10	20	20
Study of the use and application of certain chemicals			80

Misc. lectures and test review	160	940	140
Total	1,220	3,000	800

<b>Subject</b>	<b>Column D Esthetician Apprentice</b>
Facials, cleansing, toner, massaging	240
Makeup application, all phases	200
Hair removal	60
Body treatments, aroma therapy, wraps	240
Reflexology	70
Cosmetic sciences, structure, condition, disorder	170
Cosmetic chemistry, products and ingredients	150
Cosmetology establishment management and salesmanship	110
Sanitation and sterilization, safety	90
State law	20
Misc. lectures and test review	150
Total	1,500

*AUTHORITY:* sections 329.025.1 and 329.040, RSMo Supp. 2006. Original rule filed Aug. 1, 2007.

*PUBLIC COST:* This proposed rule will cost state agencies or political subdivisions approximately eight thousand five hundred twenty-three dollars (\$8,523) 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 rule 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to [cosbar@pr.mo.gov](mailto: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.

**Department of Insurance, Financial Institutions and Professional Registration  
Division of Professional Registration  
PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
Division 2085 - State Board of Cosmetology and Barber Examiners  
Chapter 12 - Schools and Student Rules - Barber and Cosmetology  
Proposed Rule - 20 CSR 2085-12.050 Curriculum Prescribed for Cosmetology Schools**

Prepared May 8, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance in the Aggregate
State Board of Cosmetology and Barber Examiners	<b>\$8,523</b>

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to respond to inquiries.
- 2) Expense and equipment costs are incurred for board expenses relating to correspondence and law books.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 0%	Enforcement – 1%
Personal Service	\$0	\$2,426
Expense & Equipment	\$0	\$1,194
Transfers	\$0	\$4,902
<b>TOTAL</b>	<b>\$0</b>	<b>\$8,523</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2-- Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
\$606,595	40% Enforcement	\$242,638

**Table 3-- Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$298,595	60% Licensure	\$179,157
\$298,595	40% Enforcement	\$119,438

**Table 4-- Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2085—Board of Cosmetology and Barber  
Examiners**

**Chapter 12—Schools and Student Rule—Barber and  
Cosmetology**

**PROPOSED RULE**

**20 CSR 2085-12.060 Requirements for Cosmetology Students**

*PURPOSE: This rule establishes qualifications and requirements for cosmetology students.*

(1) Registration.

(A) Any person desiring to enroll in a school of cosmetology shall contact the school of intended enrollment and obtain an enrollment form supplied by the board. At least two (2) weeks prior to the commencement of any program of instruction, that person shall return the completed enrollment form to the school of intended enrollment and, if the student is accepted, that school shall approve it and submit it to the board. The form shall be accompanied by the proper fee(s) and include the following information:

1. The applicant's name and address;
2. The name and address of the school or cosmetology establishment of enrollment;
3. Proof of age—copy of a birth certificate or driver's license (applicant must be seventeen (17) years of age by the time application is made for examination);
4. Proof of successful completion of the tenth grade (completion of at least ten (10) high school credits as defined by law)—diploma, general educational development (GED) certification or official school transcript indicating student's name, grade level and number of credits completed. All foreign documents or documents not in the English language must be certified by a board approved credential evaluating service;
5. Two (2) or more character references;
6. Two (2) United States passport photographs measuring two inches by two inches (2" × 2") which have been taken within the last five (5) years;
7. Signature of applicant; and
8. Signature of school owner/representative and school seal.

(B) No person shall be given credit for any training received by a school until a properly completed student enrollment form has been received and approved by the board and a student license is returned to the school or cosmetology establishment. The student license shall expire on the expiration date. A new application shall be submitted should the student or apprentice wish to continue training beyond the expiration date.

(C) Change of Status. For any student desiring to change the course in which he/she is currently enrolled or who wishes to obtain additional hours beyond the hours required by the board (even if license is still within the five (5)-year limit), he/she will be required to apply to the board for a change of status. Any other alteration (such as change of school and/or location) will require a termination. A student license will be good for a maximum of five (5) years from the date of issuance of the license at that location, unless terminated from the school. An application for change of status shall be made to the board on a form supplied by the board. The form shall be accompanied by the student license and the enrollment application fee and shall be postmarked no later than three (3) days from the effective date of the change of status. The change of status application shall include an interim certificate which shall be valid for twenty (20) days from the date of application and shall be retained by the school to serve as the training license for the student until the amended license is received from the board.

(2) Transfer of Students.

(A) Any student desiring to change schools shall contact the school in which he/she is currently enrolled and request termination. The school shall terminate the student as required by 20 CSR 2085-12.010(9)(C) within two (2) weeks of the student's request to be terminated. After the proper termination papers and the student license have been received by the board, the student may make application for enrollment with another school in accordance with this rule and 20 CSR 2085-12.060(1).

(B) For the purposes of meeting the minimum requirements for examination, training completed by a student who has transferred between schools or has had a lapse of time between enrollments in the same school shall be recognized by the board for a period of no more than five (5) years from the date it was received.

(3) All students in any cosmetology school shall wear washable clothing while in attendance.

(4) No training received in a school may be credited towards the fulfillment of the hours necessary in an apprenticeship program and no training received in a beauty cosmetology establishment may be credited towards the hours necessary in a school to meet the minimum requirements necessary to qualify for a state examination.

*AUTHORITY: sections 329.025.1, 329.040 and 329.050, RSMo Supp. 2006. Original rule filed Aug. 1, 2007.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately eight thousand five hundred twenty-three dollars (\$8,523) 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 rule will cost private entities approximately \$2,103,389 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 rule with the Missouri State Board of Cosmetology and Barber Examiners, Darla Fox, Executive Director, PO Box 1062, Jefferson City, MO 65102, by faxing comments to (573) 751-8167, or by emailing comments to [cosbar@pr.mo.gov](mailto: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.*



**Department of Insurance, Financial Institutions and Professional Registration  
 Division of Professional Registration  
 PUBLIC ENTITY COST**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration  
 Division 2085 - State Board of Cosmetology and Barber Examiners  
 Chapter 12 - Schools and Student Rules - Barber and Cosmetology  
 Proposed Rule - 20 CSR 2085-12.060 Requirements for Cosmetology Students**

Prepared May 8, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance in the Aggregate
State Board of Cosmetology and Barber Examiners	\$8,523

**III. WORKSHEET**

The costs for this rule are detailed in the table below and are based on the following assumptions:

- 1) Personal service costs are incurred for staff time to process applications and enter data into the division's licensing system.
- 2) Expense and equipment costs are incurred for board expenses relating to the issuance and mailing of licenses.
- 3) Transfers are costs incurred for board and staff support provided by the Division of Professional Registration (also includes data processing, cash receiving room and MIS) and costs incurred for services provided by agencies such as the Office of the Attorney General, Secretary of State and State Auditor.

**Table 1 – Estimated Cost of Compliance by Category of Allocation**

Category of Allocation	Licensure – 0%	Enforcement - 1%
Personal Service	\$0	\$2,426
Expense & Equipment	\$0	\$1,194
Transfers	\$0	\$4,902
<b>TOTAL</b>	<b>\$0</b>	<b>\$8,523</b>

**IV. ASSUMPTIONS**

In developing this fiscal note, the total public entity costs of the State Board of Cosmetology and Barber Examiners were determined by using allotment figures for personal service, expense and equipment, and transfers based on actual costs incurred by each of the boards prior to the merger. These annual costs will recur each year for the life of the rule; may vary with inflation; and are expected to increase annually at the rate projected by the Legislative Oversight Committee.

For the purpose of calculating the fiscal impact of the administrative rules, two major categories of board activity were identified: licensure and enforcement. The board estimates 60% of personal service, expense & equipment and transfer costs will be dedicated to the licensure effort and an estimated 40% of personal service, expense & equipment and transfer costs will be dedicated to the enforcement effort. Transfer costs also include rent and utilities. (See Table 2, 3 & 4)

**Table 2– Allocation of Personal Service Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$606,595	60% Licensure	\$363,957
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**Table 3– Allocation of Expense & Equipment Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
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**Table 4– Allocation of Transfer Dollars**

<b>Allotment</b>	<b>Percentage &amp; Category</b>	<b>Dollar Amount</b>
\$1,225,541	60% Licensure	\$735,325
\$1,225,541	40% Enforcement	\$490,216

In allocating costs, this proposed rule was reviewed to determine if the rule contained attributes of licensure and/or enforcement. It is estimated that 5% of the total time involving the administration of the proposed rule will be spent on licensure efforts and 1% of the time will spent on enforcement efforts. These percentages have been applied to personal service, expense & equipment and transfer dollars. (See Table 1)

**PRIVATE ENTITY FISCAL NOTE**

**I. RULE NUMBER**

**Title 20 - Department of Insurance, Financial Institutions and Professional Registration**  
**Division 2085 - State Board of Cosmetology and Barber Examiners**  
**Chapter 12 - Schools and Student Rules - Barber and Cosmetology**  
**Proposed Rule - 20 CSR 2085-12.060 Requirements for Cosmetology Students**  
 Prepared June 7, 2007 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

**First Year of Implementation of Rule**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
3933	Applicants (Establishment Enrollment Fee @ \$25)	\$1,966,500
1000	Applicants (Foreign Cosmetology Training Verification @ \$125)	\$125,000
4933	Applicants (Notary @ \$2)	\$9,866
4933	Licensees (Postage @ \$.41)	\$2,023

**Estimated Annual Cost of Compliance for the Life of the Rule**      **\$2,103,389**

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. The above estimates are based on FY06 and FY07 actuals and FY08 projections.
2. The board is statutorily obligated to enforce and administer the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo. Pursuant to section 329.105, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 328.010-328.160 and 329.010-329.265, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 328.010-328.160 and 329.010-329.265, RSMo.
3. It is anticipated that the total cost 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.