

In The Matter of the Proposed
Amendments to Rules Relating
to Cosmetology

Supplement to the
Statement of Need and
Reasonableness

The authority for the adoption of the amendments is set forth in Minnesota Statutes Section 155A.05. The amendments conclude a process started several years ago to make the rules simpler and more practical. Two prior rulemaking proceedings have been concluded, one dealing with the cosmetology schools and the other with the salons. The primary purpose of this proceedings is to correct minor errors and inconsistencies that resulted from the prior proceedings or to clarify certain matters which were left unclear in those rule changes.

Amendments to the Cosmetology Rules

State of Minnesota
Department of Commerce
Office of the Commissioner

Statement of Need and Reasonableness

Minnesota Rules 2640.0100. DEFINITIONS.

Subpart 2. Accommodate or to be accommodated. The added wording is for clarification.

Subpart 13. Demonstration. The following 2640.0100 -2640.9200 has been added to clarify that retail sales are exempt from the Rules of the Cosmetology licensed industry.

Minnesota Rules 2640.1100. EXAMINATION ADMINISTRATION.

Subpart 3-B. Instructor Examination. Words deleted for clarification. Also the elimination of several words concerning the models signing a waiver for the practical exam as no chemicals are used during the demonstration -- only water - consequently, there would be no need for liability insurance.

Minnesota Rules 2640.1700. LICENSED RECIPROCITY WITH OTHER JURISDICTIONS.

Subpart 3. Evidence of Experience. Wording changed for clarification. All cosmetologists that have been licensed for 3 or more years must prove experience - whether they be applying for reciprocity license or Minnesota candidates applying for renewal.

Minnesota Rules 2640.3300. MAINTAINING A SALON LICENSE.

B. 30 days must be changed to 60 days--a typographical error that should have been changed to be consistent with rule 2640.3600., Subpart 4 during the January, 1985 rule revision process.

C. "Prior to" changed to before for clarification.

Minnesota Rules 2640.3500. DELINQUENT SALON LICENSES.

Subpart 1. "Prior to" changed to before for clarification.

Subpart 2. Renewal.

"Application" has been deleted as the salon owner has a 30 day grace period to renew license. Late penalty fees have been repealed in the Fee Schedule 2640.9100. A processing fee has been added as it clarifies what the fee is used for...(processing the late renewal).

Minnesota Rules 2640.4100. SPECIFIC TYPES OF SALON LICENSE.

Subpart 2. Beauty Salon and Barber Shop. The words in this rule were deleted as they were confusing and unnecessary.

Minnesota Rules 2640.5100. COMPLIANCE BY PRESENT LICENSEES AND STUDENTS.

Subpart 3. Senior Instructor Licenses. Added

Subpart 2, Item B for clarification of rule.

Subpart 6. Salon Temporary Exemptions. Deleted "and booths" as there are no longer booth licenses.

Minnesota Rules 2640.5200. SCHOOL LICENSURE.

Subpart 4. Surety Bond. Added verbage to definitely exempt public State cosmetology facilities from a surety bond coverage.

Minnesota Rules 2640.5500. DELINQUENT SCHOOL LICENSES.

Words "prior to" deleted and before added for clarification.

A. "Application" has been deleted as the school owner has a 30-day grace period. This makes it consistant with Rule 2640.3500., Subpart 2.

B. Words "shall be" deleted and is added for clarification.

Minnesota Rules 2640.5600 CERTIFICATE OF IDENTIFICATION.

Subpart 1-B. Typographical error 2700 to 2,700.

Subpart 1-C. Esthetician added to rule--an oversight from the rule revision process of April, 1986.

Minnesota Rules 2640.6000. PHYSICAL REQUIREMENTS.

Subpart 1. Space.

A. "Department" changed back to office in this instance.

B. "inacessible" changed to not accessible for clarification.

E. This rule requires each school to maintain an instructor lounge. This rule was deleted in the rule revision process of April, 1986 and failed to be deleted then.

Minnesota Rules 2640.6800. COSMETOLOGIST TRAINING.

A. and C. Delete word "approximately". This word was deleted in the April, 1986 rule revision process and failed to be deleted.

Minnesota Rules 2640.6800. ESTHETICIAN TRAINING.

D. Delete word "approximately". - Same as above.

Minnesota Rules 2640.6900. MANICURIST TRAINING.

D. Delete the word "approximately". - Same as above.

Minnesota Rules 2640.7000. REFRESHER COURSES.

Delete sentences 4 and 5 in paragraph 1, as we find no reason or need for a time limit on course approval after submission as it is done as soon as the curriculum arrives in the office. The fifth sentence is deleted as we have never addressed a processing fee in our fee schedule, rule 2640.9100. for this process and feel there is no need for a fee.

Minnesota Rules 2640.8200. STUDENT RECORDS.

E-2 Delete this rule to make it consistent with the rules deleted in 1985...(4 MCAR S 10.102 A-3. and 4 MCAR S 10.104-B.) The need for removal is discussed in the 1985 rule revision process under 2640.1200 and 2640.1800.

E-3 Delete "and the department" as the schools are responsible for the filing of these reports in each students' file and the retention of records for five years.

E-4 Delete last sentence as the schools are also responsible for the filing of these reports. Both E-3 and E-4 were oversights when the rule was changed in the rule revision process of September 1, 1986.

Minnesota Rules 2640.8900. SCHOOL CLINICS.

Items M, S, T, and W were added to this rule for clarification in first paragraph.

G. The words "and instructors" were deleted as this is redundant with the specific rule on Instructors 2640.7800-D which specifically addresses Instructor Identification Badges.

Minnesota Rules 2640.9200. FEE SCHEDULE.

B. (3). This fee was inadvertently omitted in the rule revision of August 19, 1985. This corresponds with rule 2640.2100 A-3 and B-3 when reinstating a license after denial, suspension or revocation.

C. (3). The phrase applications for new licenses has been added to the processing fee to coincide with rule 2640.1200 and for the one-time charge of the initial input of the new license information into the computer system.