



NORTH CAROLINA BOARD OF BARBER AND ELECTROLYSIS EXAMINERS

Memo

TO: Board members

FROM: Dennis Seavers

DATE: December 4, 2024

SUBJECT: Periodic review of rules

At its August 2024 board meeting, the board will make final determinations about how to categorize its rules as part of a statutorily mandated review of rules. This memo provides background information to help you decide whether to approve the attached report. (I realize that the font attached report is very small and difficult to read. The board members' SharePoint site has the original Excel spreadsheet that will be much easier to read.)

What is the periodic review of rules?

Under G.S. 150B-21.3, agencies must conduct a decennial review of rules, in addition to an annual review. This decennial review (referred in this memo to the periodic review) consists of a determination by the agency whether each rule is necessary or unnecessary.

- If a rule is necessary, the agency will ultimately need to readopt the rule, which in many respects is much like proposing it as a new rule.
- If a rule is unnecessary, it will ultimately be removed from the code and be unenforceable.

What are the steps in the periodic review?

1. The agency receives and reviews for accuracy a report from the Office of Administrative Hearings (OAH) with all rules listed. (*Already completed.*)
2. The agency must decide which rules are necessary and which are unnecessary. (*Already completed.*)
3. The agency must publish the report and receive public comments. (*Already completed.*)

4. The agency must review the public comments and change its necessary/unnecessary determinations as necessary and according to statutory criteria. *(To be completed at the December 10 meeting.)*
5. The report must be submitted to OAH and the Rules Review Commission for approval.
6. The Commission submits the approved report to the General Assembly's Joint Legislative Administrative Procedures Oversight Committee (JLAPO).
7. If JLAPO meets within 60 days of the report submission, it will decide whether to recommend additional review by the agency or approve the report. If JLAPO doesn't meet within 60 days, the agency proceeds to the next step in the process.
8. Assuming JLAPO didn't require additional review, the agency readopts the rules determined to be necessary, and the unnecessary rules expire.

Where is the board in this process?

At this point, Steps 1-3 above have occurred.

Which rules are unnecessary, according to the ad hoc committee?

As a reminder, the board's ad hoc committee believed that most rules were necessary and should be readopted. However, there were a few rules that the committee believes are no longer necessary. Please note that there were also temporary rules that are listed as "unnecessary" here, but only because they're being adopted through a separate permanent rulemaking process and ultimately won't be relevant to this period-review process.

- 21 NCAC 06B .0309 (Records). The committee believes this rule is unnecessary because it simply repeats what appears in G.S. 150B-21.2(i), which requires agencies to keep records of rulemaking proceedings. The length these records must be kept is really in the purview of the Department of Natural and Cultural Resources. In addition, the rule only deals with the board's internal practices.
- 21 NCAC 06C .0101 (administrative hearings). The rule says, "Any person whose rights, duties, or privileges are affected by official actions of the Board shall be entitled to a hearing pursuant to G.S. 150B-38." This rule doesn't do anything more than what is required by G.S. 150B-38, so the committee believes it's unnecessary.
- 21 NCAC 06C .0502 (notice and hearing). This rule lists criteria for the chairman to consider when deciding the period between a notice and a hearing. The committee believes that the Rules Review Commission might object to this rule in the readoption process, and the rule doesn't appear to have any value. Typically, a hearing will occur at the next board meeting after a request is submitted, as long as the minimum time for notice is met, as set forth in statute.
- 21 NCAC 06C .0807 (allowance). This rule deals with petitions for intervention in hearings. We've never had intervenors at hearings, nor is the board's counsel

aware of such petitions in board disciplinary hearings. Therefore, the committee recommends that the board designate the rule as unnecessary.

- 21 NCAC 06X .0111 (equipment endorsements and sales prohibited). This rule prohibits board-certified schools from endorsing, recommending, advertising, promoting, or selling “any type of laser, light-based device, epilator, or other electrolysis or laser hair removal equipment to the students or permit any other person to do so.” There could be legal problems with the enforcement of this rule, but it’s not uncommon for schools to provide equipment to students, and it’s difficult to see the regulatory interest in preventing schools from doing so.

What action does the board need to take at its December meeting?

The board received no public comments on its initial determinations. I recommend that the board affirm its original determinations and file the report as attached.

G.S. 150B-21.3A Report for 21 NCAC 06, Board of Barber and Electrolysis Examiners

Agency - Board of Barber and Electrolysis Examiners

Comment Period -September 3, 2024 - November 4, 2024

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 6A - DEPARTMENTAL RULES	SECTION .0100 - ORGANIZATIONAL RULES	21 NCAC 06A .0102	ADDRESS	Amended Eff. February 1, 2023	Necessary	No		Select One	Necessary	Select One	Select One	Select One
SUBCHAPTER 06B - RULE-MAKING PROCEDURES	SECTION .0100 - PETITIONS FOR RULE-MAKING	21 NCAC 06B .0101	PETITION FOR RULE-MAKING	Readopted Eff. August 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06B .0105	GRANTING OR DENYING PETITIONS	Readopted Eff. October 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0200 - NOTICE	21 NCAC 06B .0202	MAILING LIST	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0300 - HEARINGS	21 NCAC 06B .0307	CONTROL OF HEARINGS	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06B .0309	RECORDS	Readopted Eff. July 1, 2016	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
	SECTION .0500 - DECLARATORY RULINGS	21 NCAC 06B .0501	REQUEST FOR DECLARATORY RULING	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06B .0502	CONTENTS OF REQUEST	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06B .0503	REFUSAL TO ISSUE DECLARATORY RULING	Readopted Eff. October 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 06C - CONTESTED CASES	SECTION .0100 - CONTESTED CASES	21 NCAC 06C .0101	ADMINISTRATIVE HEARINGS	Readopted Eff. July 1, 2016	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following	Select One
	SECTION .0200 - REQUEST FOR A HEARING	21 NCAC 06C .0204	CONTENTS OF REQUEST	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0500 - NOTICE	21 NCAC 06C .0502	NOTICE AND HEARING	Readopted Eff. July 1, 2016	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following	Select One
	SECTION .0800 - INTERVENTION	21 NCAC 06C .0807	ALLOWANCE	Readopted Eff. July 1, 2016	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following	Select One
	SECTION .0900 - HEARING OFFICERS	21 NCAC 06C .0903	BIAS OF BOARD MEMBER	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06C .0905	AFFIDAVIT OF DISQUALIFICATION	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06C .0906	FILING AFFIDAVIT	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06C .0907	DISQUALIFICATION	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06C .0912	COMPLAINTS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06C .0913	PREDETERMINATIONS FOR INDIVIDUALS WITH CRIMINAL RECORDS	Eff. July 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 06F - BARBER SCHOOL	SECTION .0100 - BARBER SCHOOL	21 NCAC 06F .0101	PHYSICAL STRUCTURE	Amended Eff. April 1, 2022	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0102	MANAGER	RRC objection due to lack of statutory authority Eff. April 20, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0103	FILING	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0104	INSTRUCTORS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0109	RE-ENTERING SCHOOL	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0110	ROSTER AND STUDENT RECORDS	Readopted Eff. September 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0111	COPIES OF BARBER SCHOOL RECORDS	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0113	STUDENT PERMIT	Amended Eff. April 1, 2019	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0116	STUDENTS WITH CRIMINAL RECORDS	Readopted Eff. October 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0119	INTRASTATE TRANSFERS	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0120	BARBER SCHOOL CURRICULUM	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0121	PENAL INSTITUTIONS	Amended Eff. February 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0122	UNIFORMS AND IDENTIFICATION	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One

G.S. 150B-21.3A Report for 21 NCAC 06, Board of Barber and Electrolysis Examiners

Agency - Board of Barber and Electrolysis Examiners

Comment Period - September 3, 2024 - November 4, 2024

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		21 NCAC 06F .0123	RECORDS OF STUDENT HOURS	Amended Eff. February 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0124	STUDENT HOURS	Amended Eff. April 1, 2021	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0125	SCHOOL HANDBOOKS AND ENROLLMENT AGREEMENTS	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0126	EXTENDED EDUCATION	Amended Eff. February 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0127	STATE AUTHORIZATION AS A POSTSECONDARY INSTITUTION	Amended Eff. April 1, 2019	Necessary	Yes If yes, include the citation to the federal law	20 U.S.C. 1001; 20 U.S.C. 1002; 34 C.F.R. 600.9	Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06F .0128	WAIVER OF REQUIREMENTS DURING DISASTER OR EMERGENCY	Eff. February 1, 2021	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 6G - BARBER SCHOOL INSTRUCTORS		21 NCAC 06G .0103	INSTRUCTOR EXAMINATION	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06G .0106	INSTRUCTOR APPLICATION	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 06H - BARBER SCHOOL OWNERS AND MANAGERS	SECTION .0100 - BARBER SCHOOL OWNERS AND MANAGERS	21 NCAC 06H .0101	DUTIES AND RESPONSIBILITIES	RRC objection due to lack of statutory authority Eff. April 20, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 06I - OUT-OF-STATE TRANSFERS		21 NCAC 06I .0101	CREDIT FOR OUT-OF-STATE TRAINING	Readopted Eff. October 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06I .0105	APPRENTICE BARBER	Amended Eff. May 2, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 06J - APPRENTICE BARBERS		21 NCAC 06J .0101	LICENSED APPRENTICE	Amended Eff. May 2, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06J .0108	EXAMINATION	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06J .0109	IDENTIFICATION	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06J .0110	NOTIFICATION OF ADDRESS CHANGE	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 06K - LICENSED BARBER	SECTION .0100 - LICENSED BARBER	21 NCAC 06K .0101	LICENSED BARBER	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06K .0104	OUT-OF-STATE APPLICANTS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06K .0110	IDENTIFICATION	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06K .0111	NOTIFICATION OF CHANGE OF ADDRESS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06K .0112	APPLICANTS WITH MILITARY TRAINING AND EXPERTISE	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06K .0113	MILITARY SPOUSES	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 6L - BARBER SHOPS		21 NCAC 06L .0102	MEASUREMENTS OF BARBER SHOP	Amended Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0103	EQUIPMENT	Amended Eff. April 1, 2022	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0104	BARBER SHOP AND MOBILE BARBER SHOP PERMITS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0105	FEES	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0106	SEPARATION FROM OTHER BUSINESSES; RESIDENTIAL BARBER SHOPS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0107	LAVATORY	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0109	DISINFECTANTS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0111	WHERE BARBER SERVICES MAY BE PERFORMED	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0112	RENTED BOOTH SPACE	RRC objected due to lack of statutory authority and necessity Eff. April 20, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One

G.S. 150B-21.3A Report for 21 NCAC 06, Board of Barber and Electrolysis Examiners

Agency - Board of Barber and Electrolysis Examiners

Comment Period -September 3, 2024 - November 4, 2024

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		21 NCAC 06L .0113	DISEASES	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0114	PETS PROHIBITED	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0115	INSPECTIONS OF SHOPS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0116	LICENSE VERIFICATION	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0117	GENERAL SANITATION	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0118	SANITARY RATINGS AND POSTING OF RATINGS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0119	SYSTEMS OF GRADING BARBER SHOPS, MOBILE BARBER SCHOOLS, AND BARBER SCHOOLS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06L .0120	NOTIFICATION OF CHANGE OF ADDRESS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0200 – MOBILE BARBER SHOPS	21 NCAC 06L .0201	VEHICLES	Temporary Rule Expired Eff. February 9, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06L .0202	EQUIPMENT	Temporary Rule Expired Eff. February 9, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06L .0203	TOILETS, SINKS, SEWAGE, AND WASTEWATER	Temporary Rule Expired Eff. February 9, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06L .0205	MONTHLY REPORTS OF LOCATIONS	Temporary Rule Expired Eff. February 9, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
	SUBCHAPTER 06N – FEES AND FORMS	21 NCAC 06N .0101	FEES, ACCESS TO FORMS, AND RENEWALS	Temporary Amendment Exp. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0102	FORM BAR-1	Temporary Amendment Exp. February 26, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0103	FORM BAR-2	RRC objection due to lack of statutory authority Eff. April 20, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0104	FORM BAR-3	Temporary Amendment Exp. February 26, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0105	FORM BAR-4	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0106	FORM BAR-5	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0107	FORM BAR-6	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0109	FORM BAR-8	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0110	FORM BAR-9	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0111	FORM BAR-10	Amended Eff. January 1, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0112	FORM BAR-11	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0113	FORM BAR-12	Amended Eff. October 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0114	EXTENSIONS FOR MEMBERS OF THE ARMED FORCES	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06N .0116	FORM BAR-13	Temporary Rule Expired Eff. February 26, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06N .0117	REQUEST FOR TEMPORARY PERMIT	Eff. August 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SUBCHAPTER 06O – CIVIL PENALTY	21 NCAC 06O .0101	SCHEDULE OF PENALTIES	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06O .0102	LICENSING OF BARBER SHOPS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06O .0103	LICENSING OF BARBER SCHOOLS	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06O .0104	UNSUPERVISED APPRENTICE	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06O .0105	UNLICENSED BARBER OR APPRENTICE	Temporary Amendment Exp. Eff. February 26, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06O .0106	DISPLAY OF CURRENT LICENSE	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One

G.S. 150B-21.3A Report for 21 NCAC 06, Board of Barber and Electrolysis Examiners

Agency - Board of Barber and Electrolysis Examiners

Comment Period -September 3, 2024 - November 4, 2024

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		21 NCAC 060 .0107	FRAUDULENT MISREPRESENTATIONS OR SUBMISSION OF FRAUDULENT DOCUMENT	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0108	INSPECTIONS OF BARBER SHOPS, MOBILE BARBER SHOPS, AND SCHOOLS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0109	EXPIRED LICENSE	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0110	ADEQUATE PREMISES	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0111	SCHOOL INSTRUCTORS	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0112	IDENTIFICATION	Temporary Amendment Exp. Eff. February 26, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0113	BARBER SHOPS IN RESIDENCES	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0114	ANIMALS IN BARBER SHOPS	Temporary Amendment Exp. Eff. February 26, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0115	SCHOOL FAILING TO MAINTAIN, FALSIFYING, OR FAILING TO SUBMIT RECORDS	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0116	UNLICENSED SCHOOL INSTRUCTORS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0117	BARBER FAILING TO MAINTAIN OR PRODUCE EXEMPTION LOG	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0118	UNLICENSED BARBER STUDENT	Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0119	FAILURE TO NOTIFY BOARD OF CHANGE OF ADDRESS	Temporary Amendment Exp. Eff. February 26, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0121	FAILURE TO DISPLAY SANITATION GRADE AND SHOP PERMIT	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0122	FAILURE TO NOTIFY BOARD OF CHANGE OF BARBER SHOP OR SCHOOL MANAGER	RRC objection due to lack of statutory authority Eff. April 20, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 060 .0123	LICENSING OF MOBILE BARBER SHOPS	Temporary Rule Expired Eff. February 9, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 060 .0124	TOILETS, SINK, SEWAGE, AND WASTEWATER IN MOBILE BARBER SHOPS	Temporary Rule Expired Eff. February 9, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 060 .0125	MOBILE BARBER SHOP MONTHLY REPORTS	Temporary Rule Expired Eff. February 9, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
	SECTION .0200 – ELECTROLYSIS	21 NCAC 060 .0201	ELECTROLOGY APPRENTICESHIP PROGRAM	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
	SUBCHAPTER 06P - DEFINITIONS	21 NCAC 06P .0101	BARBERING	Readopted Eff. July 1, 2016	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06P .0103	GENERAL DEFINITIONS	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SUBCHAPTER 06Q - PROHIBITED PRACTICES	21 NCAC 06Q .0101	ADDITIONAL GROUNDS FOR DENIAL OR DISCIPLINE	Temporary Amendment Exp. Eff. February 9, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SUBCHAPTER 06R - ADVERTISING	21 NCAC 06R .0101	DISPLAY OF SIGN OR BARBER POLE	RRC objection due to lack of statutory authority and ambiguity Eff. April 20, 2023 Amended Eff. July 1, 2020	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SUBCHAPTER 06S - EXAMINATIONS	21 NCAC 06S .0101	GENERAL EXAMINATION INSTRUCTIONS		Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SUBCHAPTER 06T – ELECTROLYSIS PROHIBITED PRACTICE	21 NCAC 06T .0103	ADVERTISING	Recodified from 21 NCAC 19 .0104 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SUBCHAPTER 06U – ELECTROLYSIS FEES AND FORMS	21 NCAC 06U .0101	FEES	Temporary Amendment Exp. Eff. March 11, 2024	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06U .0102	APPLICATION FOR LICENSURE	Recodified from 21 NCAC 19 .0202 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One

G.S. 150B-21.3A Report for 21 NCAC 06, Board of Barber and Electrolysis Examiners

Agency - Board of Barber and Electrolysis Examiners

Comment Period - September 3, 2024 - November 4, 2024

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		21 NCAC 06U .0103	APPLICATION FOR RENEWAL, REINSTATEMENT, OR REACTIVATION OF ELECTROLYSIS LICENSE	Recodified from 21 NCAC 19 .0203 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06U .0104	APPLICATION FOR RENEWAL, REINSTATEMENT, OR REACTIVATION OF LASER HAIR PRACTITIONER LICENSE	Recodified from 21 NCAC 19 .0204 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06U .0105	TEMPORARY LICENSE	Recodified from 21 NCAC 19 .0205 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06U .0106	STUDENT PERMIT FOR ELECTROLOGY APPRENTICESHIP PROGRAM	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06U .0107	MONTHLY REPORTS FOR ELECTROLOGY APPRENTICESHIP PROGRAM	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06U .0108	APPLICATION FOR INSTRUCTOR IN ELECTROLOGY APPRENTICESHIP PROGRAM	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06U .0109	POST-APPRENTICESHIP APPLICATION FOR LICENSURE	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06U .0110	APPLICATION FOR APPROVAL AS AN ELECTROLOGY APPRENTICESHIP PROGRAM	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
	SUBCHAPTER 06V - ELECTROLYSIS INFECTION CONTROL	21 NCAC 06V .0101	OFFICES	Recodified from 21 NCAC 19 .0403 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06V .0102	DEFINITIONS AND OVERVIEW	Recodified from 21 NCAC 19 .0404 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06V .0103	HAND HYGIENE	Recodified from 21 NCAC 19 .0405 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06V .0104	USE OF GLOVES	Recodified from 21 NCAC 19 .0406 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06V .0105	CLEANING, STERILIZATION, AND SAFETY PRECAUTIONS FOR INSTRUMENTS AND OTHER TREATMENT-RELATED ITEMS	Recodified from 21 NCAC 19 .0407 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06V .0106	ENVIRONMENTAL CONTROL AND HOUSEKEEPING	Recodified from 21 NCAC 19 .0408 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06V .0107	CLIENT EVALUATION	Recodified from 21 NCAC 19 .0409 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06V .0108	NEEDLESTICK SAFETY AND PREVENTION	Recodified from 21 NCAC 19 .0410 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06V .0109	FOLLOW-UP PROCEDURES FOR EXPOSURES TO HEPATITIS, HUMAN IMMUNODEFICIENCY VIRUS (HIV), AND OTHER BLOOD-BORNE PATHOGENS	Recodified from 21 NCAC 19 .0411 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06V .0110	STANDARD PRECAUTIONS FOR DISEASE CONTROL AND PREVENTION	Recodified from 21 NCAC 19 .0412 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SUBCHAPTER 06W - SUPERVISION	21 NCAC 06W .0101	SUPERVISING PHYSICIAN	Recodified from 21 NCAC 19 .0501 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SUBCHAPTER 06X - ELECTROLOGY SCHOOLS	21 NCAC 06X .0101	CURRICULUM	Recodified from 21 NCAC 19 .0601 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06X .0102	APPLICATION FOR AND RENEWAL OF SCHOOL CERTIFICATION	Recodified from 21 NCAC 19 .0602 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06X .0103	CERTIFICATIONS NOT TRANSFERABLE	Recodified from 21 NCAC 19 .0603 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One

G.S. 150B-21.3A Report for 21 NCAC 06, Board of Barber and Electrolysis Examiners

Agency - Board of Barber and Electrolysis Examiners

Comment Period -September 3, 2024 - November 4, 2024

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		21 NCAC 06X .0104	PROGRAM DIRECTORS	Recodified from 21 NCAC 19 .0604 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06X .0105	ENROLLMENT PROCEDURES	Recodified from 21 NCAC 19 .0605 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06X .0106	SCHOOL EQUIPMENT	Recodified from 21 NCAC 19 .0608 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06X .0107	SCHOOL LIBRARY	Recodified from 21 NCAC 19 .0609 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06X .0108	RECORD OF ATTENDANCE	Recodified from 21 NCAC 19 .0610 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06X .0109	STUDENT PRACTICAL WORK; CREDIT FOR OBSERVING AND SERVING AS A CLIENT	Recodified from 21 NCAC 19 .0612 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06X .0110	STUDENT/TEACHER RATIO AND EQUIPMENT	Recodified from 21 NCAC 19 .0613 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06X .0111	EQUIPMENT ENDORSEMENTS AND SALES PROHIBITED	Recodified from 21 NCAC 19 .0619 Eff. January 1, 2023	Unnecessary	No		Select One	Unnecessary	Select One	Unnecessary and should expire on the first day of the month following the consultation	Select One
		21 NCAC 06X .0112	CERTIFICATION OF SCHOOLS IN OTHER STATES OR JURISDICTIONS	Recodified from 21 NCAC 19 .0622 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 06Y – CONTINUING EDUCATION		21 NCAC 06Y .0101	CONTINUING EDUCATION REQUIREMENTS, LICENSE RENEWAL, REINSTATEMENT AND REACTIVATION	Recodified from 21 NCAC 19 .0701 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06Y .0102	BOARD APPROVAL OF COURSES	Recodified from 21 NCAC 19 .0702 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06Y .0103	COMPUTATION OF CONTINUING EDUCATION UNITS	Recodified from 21 NCAC 19 .0703 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06Y .0104	TIME LIMITS ON CREDIT	Recodified from 21 NCAC 19 .0704 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06Y .0105	APPLICATION FOR APPROVAL OF CONTINUING EDUCATION WAIVER	Recodified from 21 NCAC 19 .0705 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		21 NCAC 06Y .0106		Recodified from 21 NCAC 19 .0706 Eff. January 1, 2023	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
SUBCHAPTER 06Z – ELECTROLOGY APPRENTICESHIP PROGRAM		21 NCAC 06Z .0101	ENROLLMENT REQUIREMENTS AND STUDENT PERMITS	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06Z .0102	CURRICULUM	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06Z .0103	FACILITY REQUIREMENTS	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06Z .0104	STUDENT HOURS AND PERMITS	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06Z .0105	PROGRAM HANDBOOKS AND ENROLLMENT AGREEMENTS	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06Z .0106	INSTRUCTORS IN AN ELECTROLOGY APPRENTICESHIP PROGRAM	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06Z .0107	TRANSFERS	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06Z .0108	PROGRAM COMPLETION	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06Z .0109	POST-APPRENTICESHIP ELECTROLOGY LICENSE APPROVAL AS AN ELECTROLOGY APPRENTICESHIP PROGRAM	Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One
		21 NCAC 06Z .0110		Temporary Rule Expired Eff. March 11, 2024	Select One	No		Select One	Select One	Select One	Select One	Select One