

Note from the Codifier: The OAH website includes notices and the text of proposed temporary rules as required by G.S. 150B-21.1(a1). Prior to the agency adopting the temporary rule, the agency must hold a public hearing no less than five days after the rule and notice have been published and must accept comments for at least 15 business days.
For questions, you may contact the Office of Administrative Hearings at 984-236-1850 or email oah.postmaster@oah.nc.gov.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 06 – BOARD OF BARBER AND ELECTROLYSIS EXAMINERS

Notice is hereby given in accordance with G.S. 150B-21.1(a3) that the Board of Barber and Electrolysis Examiners intends to adopt the rules cited as 21 NCAC 06O .0201-.0203; 06U .0106-.0110; 06Z .0101-.0110 and amend the rule cited as 21 NCAC 06U .0101.

Codifier of Rules received for publication the following notice and proposed temporary rule(s) on: February 28, 2023.

Public Hearing:

Date: March 15, 2023

Time: 10:00 a.m.

Location: By videoconference at <https://bit.ly/bbeemar2023temprules> or by teleconference at (984) 204-1487 conference ID 393 414 862#

Reason for Proposed Temporary Action: S.L. 2022-72, s. 2, effective January 1, 2023, established the North Carolina Board of Barber and Electrolysis Examiners. The legislation also created a pathway to licensure for electrologists under an electrology apprenticeship program and required the board to adopt rules for the program. The board is proposing these rules under temporary procedures because of this recent enactment by the General Assembly.

Most of the proposed changes fulfill this mandate to set the rules for apprenticeship programs. The rules set the civil penalties for law violations and the requirements for facilities, applications, and reporting by schools. The rules also establish the curriculum and list the criteria for authorization as an instructor in an apprenticeship program (as well as criteria for revocation of the authorization).

There are a few additional provisions unrelated to the electrology apprenticeship program but authorized by the legislation. The adoption in 21 NCAC 06O .0202 sets the civil penalty for practice by unlicensed electrologists or laser hair practitioners, and the adoption in 21 NCAC 06O .0203 sets the schedule of civil penalties for law violations by schools of electrology or laser hair practice. The amendment to 21 NCAC 06U .0101 increases the fee for electrologist examinations or reexaminations by \$25.00. The amendment also establishes a \$100.00 inspection fee for facilities that have electrology apprenticeship programs, an amount that was based on the cost of inspections for facilities that provide services in electrology or laser hair practice.

Comment Procedures: Comments from the public shall be directed to: Dennis Seavers, 7001 Mail Service Center, Raleigh, NC 27699-7000; phone (919) 814-0641; fax (919) 981-5068; email dennis.seavers@nc.gov. The comment period begins February 28, 2023 and ends March 28, 2023.

SUBCHAPTER 06O – CIVIL PENALTY

SECTION .0200 – ELECTROLYSIS

21 NCAC 06O .0201 ELECTROLOGY APPRENTICESHIP PROGRAM

(a) The presumptive civil penalty for operating an electrology apprenticeship program without Board approval:

(1)	<u>1st offense</u>	<u>\$300.00</u>
(2)	<u>2nd offense</u>	<u>\$400.00</u>
(3)	<u>3rd offense</u>	<u>\$500.00</u>

(b) The presumptive civil penalty for accepting tuition from or enrolling a student before the Board has issued a student permit:

(1)	<u>1st offense</u>	<u>\$300.00</u>
(2)	<u>2nd offense</u>	<u>\$400.00</u>
(3)	<u>3rd offense</u>	<u>\$500.00</u>

(c) The presumptive civil penalty for an individual engaging as a student in an electrology apprenticeship program before the Board has issued a student permit:

(1)	<u>1st offense</u>	<u>\$200.00</u>
(2)	<u>2nd offense</u>	<u>\$300.00</u>
(3)	<u>3rd offense</u>	<u>\$500.00</u>

(d) The presumptive civil penalty for an electrology apprenticeship program failing to comply with the facility requirements as set forth in 21 NCAC 06Z .0103:

(1)	<u>1st offense</u>	<u>\$250.00</u>
(2)	<u>2nd offense</u>	<u>\$400.00</u>
(3)	<u>3rd offense</u>	<u>\$500.00</u>

(e) The presumptive civil penalty for an electrology apprenticeship program providing practical training without the student permit displayed at the electrology station:

(1)	<u>1st offense</u>	<u>\$100.00</u>
(2)	<u>2nd offense</u>	<u>\$150.00</u>

- (3) 3rd offense \$250.00
- (f) The presumptive civil penalty for an electrology apprenticeship program providing training without an instructor present:
- (1) 1st offense \$150.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00
- (g) The presumptive civil penalty for an electrology apprenticeship program failing to maintain records required by this Chapter:
- (1) 1st offense \$200.00
- (2) 2nd offense \$250.00
- (3) 3rd offense \$500.00
- (h) The presumptive civil penalty for an electrology apprenticeship program falsifying records required by this Chapter: \$500.00.
- (i) The presumptive civil penalty for an electrology apprenticeship program failing to submit records required by this Chapter:
- (1) 1st offense \$200.00
- (2) 2nd offense \$350.00
- (3) 3rd offense \$500.00
- (j) The presumptive civil penalty for an electrology apprenticeship program allowing an individual to instruct without an instructor authorization:
- (1) 1st offense \$200.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00
- (k) The presumptive civil penalty for an individual instructing without authorization from the Board at an electrology apprenticeship program:
- (1) 1st offense \$200.00
- (2) 2nd offense \$300.00
- (3) 3rd offense \$500.00
- (l) The presumptive civil penalty for an individual failing to submit the required notification set forth in 21 NCAC 06Z .0106(c):
- (1) 1st offense \$50.00
- (2) 2nd offense \$100.00
- (3) 3rd offense \$200.00

Authority G.S. 86B-10; 86B-65.

21 NCAC 060 .0202 UNLICENSED PRACTICE

The presumptive civil penalty for an individual engaging in the practice of electrology or laser, light source, or pulsed-light treatments without a license: \$5,000.

Authority G.S. 86B-10; 86B-52.

21 NCAC 060 .0203 SCHOOLS

(a) The presumptive civil penalty for operating a school of electrology or laser, light source, or pulsed-light treatments without certification pursuant to G.S. 86B-67:

- (1) 1st offense \$300.00
- (2) 2nd offense \$400.00
- (3) 3rd offense \$500.00

(b) The presumptive civil penalty for a school of electrology or laser, light source, or pulsed-light treatments failing to maintain records required by this Chapter:

- (1) 1st offense \$200.00
- (2) 2nd offense \$250.00
- (3) 3rd offense \$500.00

(c) The presumptive civil penalty for a school of electrology or laser, light source, or pulsed-light treatments falsifying records required by this Chapter: \$500.00.

(d) The presumptive civil penalty for a school of electrology or laser, light source, or pulsed-light treatments failing to submit records required by this Chapter:

- (1) 1st offense \$200.00
- (2) 2nd offense \$350.00
- (3) 3rd offense \$500.00

(e) The presumptive civil penalty for a school of electrology or laser, light source, or pulsed-light treatments failing to comply with the facility requirements as set forth in 21 NCAC 06X .0106 and .0107:

- (1) 1st offense \$250.00
- (2) 2nd offense \$400.00
- (3) 3rd offense \$500.00

(f) The presumptive civil penalty for a school of electrology or laser, light source, or pulsed-light treatments failing to comply with the student-instructor ratio set forth in 21 NCAC 06X .0110:

- (1) 1st offense \$250.00
- (2) 2nd offense \$400.00
- (3) 3rd offense \$500.00

SUBCHAPTER 06U – ELECTROLYSIS FEES AND FORMS

21 NCAC 06U .0101 FEES

- (a) The following fees are payable to the Board for licensure as an electrologist:
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|-------------------------------|----------|
| (1) Application for licensure | \$150.00 |
| (2) Initial licensure | \$125.00 |
| (3) Renewal of licensure | \$125.00 |
- (b) The following fees are payable to the Board for licensure as a laser hair practitioner:
- | | |
|-------------------------------|----------|
| (1) Application for licensure | \$125.00 |
| (2) Initial licensure | \$125.00 |
| (3) Renewal of licensure | \$150.00 |
- (c) The following fees are payable to the Board for certification as an instructor:
- | | |
|--|----------|
| (1) Application for Electrology instructor | \$150.00 |
| (2) Renewal of Electrology instructor | \$125.00 |
| (3) Application for laser hair practitioner instructor | \$150.00 |
| (4) Renewal of laser hair practitioner instructor | \$125.00 |
- (d) The following fees are payable to the Board for certification as a Board approved school:
- | | |
|---|----------|
| (1) IN STATE SCHOOL | |
| (A) Application for certification as an Electrology school | \$250.00 |
| (B) Renewal of certification as an Electrology school | \$150.00 |
| (C) Application for certification as a laser, light source, or pulse light treatment school | \$250.00 |
| (D) Renewal of certification for a laser, light source, or pulse light treatment school | \$150.00 |
| (2) OUT-OF-STATE SCHOOL | |
| (A) Application for certification as an Electrology school | \$400.00 |
| (B) Initial certification as an Electrology school | \$100.00 |
| (C) Renewal of certification for an Electrology school | \$100.00 |
| (D) Application for certification as a laser, light source, or pulse light treatment school | \$350.00 |
| (E) Initial certification as a laser, light source, or pulse light treatment school | \$75.00 |
| (F) Renewal of certification as a laser, light source, or pulse light treatment school | \$100.00 |
- (e) The following other fees are payable to the Board:
- | | |
|--|-------------------------------------|
| (1) Electrologist Examination or reexamination | \$125.00 <u>\$150.00</u> |
| (2) Office inspection or re-inspection | |
| (A) Electrologist – per licensee, for each office site | \$100.00 |
| (B) Laser Hair Practitioner – per licensee, for each office site | \$100.00 |
| (C) <u>Electrology apprenticeship program facility</u> | <u>\$100.00</u> |
| (3) License by reciprocity | \$125.00 |
| (4) Late renewal charge | \$50.00 |
| (5) Reinstatement of expired license | \$250.00 |
| (6) Reinstatement of instructor licensure | \$250.00 |
| (7) Reactivation of license | \$150.00 |
| (8) Reactivation of instructor licensure | \$150.00 |
| (9) Duplicate license | \$25.00 |
- (f) All fees shall be paid only by ~~check~~ check, cashier check, official check, teller check, or money order, made payable to "~~The North~~ North Carolina Board of Barber and Electrolysis Examiners."
- (g) Renewal fees required for Subparagraphs (a)(3), (b)(3), (c)(2), (c)(4), (e)(2), and (e)(9) of this Rule shall be waived for licensees under this Chapter ~~that~~ who are exempt from renewal fees under G.S. 93B-15.

21 NCAC 06U .0106 STUDENT PERMIT FOR ELECTROLOGY APPRENTICESHIP PROGRAM

- (a) The application for a student permit shall be filed for permission to enroll in an electrology apprenticeship program. The application requires the following:
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|---|
| (1) <u>the name, address, social security number, and birth date of the applicant;</u> |
| (2) <u>the name, address, email address, and website address of the electrology business where the apprenticeship program will occur;</u> |
| (3) <u>the name and license number of the electrologist under whom the applicant will study;</u> |

- (4) the name of the owner of the electrology business where the apprenticeship program will occur, if the owner is different from the person listed in Subparagraph (3) of this Paragraph; and
 - (5) the date when the apprenticeship program will begin.
- (b) The application shall be submitted to the Board at the address in 21 NCAC 06A .0102.

Authority G.S. 86B-65; 93B-14.

21 NCAC 06U .0107 MONTHLY REPORTS FOR ELECTROLOGY APPRENTICESHIP PROGRAM

- (a) The monthly report for an electrology apprenticeship program is a Board-prescribed form that shall be filed by the program instructor or facility owner. The form shall be available at the website addresses listed in 21 NCAC 06A .0102.
- (b) The monthly report shall include the following information:
- (1) the name of the electrology apprenticeship program;
 - (2) the name of the student;
 - (3) the month and year for which the report is filed; and
 - (4) the dates and number of hours of the student's attendance, with the hours broken down by the topics in the curriculum set forth in 21 NCAC 06Z .0102.
- (c) The monthly report shall be signed by the instructor, who shall attest that the contents of the report are accurate.

Authority G.S. 86B-65.

21 NCAC 06U .0108 APPLICATION FOR INSTRUCTOR IN ELECTROLOGY APPRENTICESHIP PROGRAM

- (a) An application shall be filed by an individual who seeks Board authorization as an instructor in an electrology apprenticeship program. The application requires the following:
- (1) the name, address, and birth date of the applicant;
 - (2) the current electrology license number; and
 - (3) Evidence of completing the Board-approved continuing education as set forth in G.S. 86B-65(d)(3). This continuing education shall be separate from continuing education received for other licenses issued by the Board.
- (b) The form shall include the applicant's attestation that the information in the form is correct.

Authority G.S. 86B-65.

21 NCAC 06U .0109 POST-APPRENTICESHIP APPLICATION FOR LICENSURE

- (a) The post-apprenticeship application for licensure shall be filed by an individual who has completed an electrology apprenticeship program as set forth in S.L. 2022-72, s. 2, and this Section. The application requires the following information:
- (1) the name, address, social security number, and birthdate of the applicant;
 - (2) the name and address of the electrology apprenticeship program;
 - (3) the name of the instructor of the electrology apprenticeship program;
 - (4) the names and addresses of the two electrologist offices where the applicant visited, as well as the dates when the visits occurred, as required by S.L. 2022-72, s. 2;
 - (5) a passport-acceptable photograph taken within the past two years; and
 - (6) proof of age as evidenced by a copy of a current:
 - (A) driver license or identification card issued by a state or territory in the United States;
 - (B) United States passport or passport card;
 - (C) United States permanent resident card;
 - (D) United States employment authorization document card;
 - (E) birth certificate issued by a state, county, municipal authority, or outlying territory of the United States;
 - (F) consular report of birth abroad, certification of birth abroad issued by the United States Department of State, or certification of report of birth issued by the United States Department of State; or
 - (G) Native American tribal document.
- (b) The fee in Rule .0101 of this Section shall be submitted with the application.
- (c) The application form shall include the applicant's attestation that the information in the form is correct.

Authority G.S. 86B-65; 93B-14.

21 NCAC 06U .0110 APPLICATION FOR APPROVAL AS AN ELECTROLOGY APPRENTICESHIP PROGRAM

- (a) An application shall be filed by a facility that wishes to offer an electrology apprenticeship program. The application requires the following:
- (1) the name and address of the business;
 - (2) the names, addresses, and authorization numbers of the instructors for the electrology apprenticeship program;
 - (3) the names and addresses of the owners of the electrology apprenticeship program, if different from the information provided under Subparagraph (2) of this Paragraph;
 - (4) the business hours;
 - (5) the physical dimension of the training area;
 - (6) the number of treatment tables; and
 - (7) the date the business will be ready for inspection.

- (b) The fee required by Rule .0101 of this Section shall accompany the application.
(c) The application shall include the applicant's attestation that the information in the form is correct.

Authority G.S. 86B-65.

SUBCHAPTER 06Z – ELECTROLOGY APPRENTICESHIP PROGRAM

21 NCAC 06Z .0101 ENROLLMENT REQUIREMENTS AND STUDENT PERMITS

- (a) An electrology apprenticeship program shall not accept tuition from or enroll a student unless the student has submitted the application for a student permit required by 21 NCAC 06U .0106 and been issued a student permit by the Board.
(b) The student permit shall only be valid for a specific electrology apprenticeship program and cannot be used in another location.
(c) A new application for a student permit shall be filed with the Board for a student who drops out of the program and later re-enrolls.
(d) Before accepting tuition or enrolling a student, the apprenticeship program shall notify a student applicant of the minimum qualifications for licensure as an electrologist as set forth in G.S. 86B-53, including the minimum-age requirement. The apprenticeship program shall have the applicant sign and date the notice indicating that the applicant has been informed of the qualifications. The apprenticeship program shall retain the signed and dated notice for at least one year after the student terminates from the program.

Authority G.S. 86B-65.

21 NCAC 06Z .0102 CURRICULUM

- (a) The curriculum for an electrology apprenticeship program shall consist of 625 hours of technical instruction and practical training as set below:

	<u>Hours</u>
<u>Electrology Fundamentals I</u>	
<u>Clinical techniques</u>	50
<u>Infectious agents and sterilization</u>	24
<u>Histology of the cell and skin</u>	24
<u>Histology of the hair</u>	24
<u>Modalities: galvanic, thermolysis, blend, and epilators</u>	44
<u>Electrology Fundamentals II</u>	
<u>Endocrine system</u>	20
<u>Disease and disorders of the skin</u>	24
<u>Electricity</u>	10
<u>Anatomy and physiology</u>	20
<u>Business procedures and regulations</u>	10
<u>Onsite Practical Training</u>	
<u>General orientation</u>	
<u>Rules of the program</u>	1
<u>Personal hygiene and dress</u>	1
<u>Professional ethics and office rules</u>	1
<u>Laws governing electrolysis</u>	1
<u>Pathology</u>	
<u>Sanitation, sterilization, and disinfection</u>	2
<u>State regulations on pathogen control</u>	1
<u>Variables</u>	
<u>Probes</u>	1
<u>Intensity</u>	2
<u>Timing</u>	2
<u>Depth of insertion</u>	5
<u>Angle of insertion</u>	15
<u>General Treatment Procedures</u>	
<u>Consultations</u>	5
<u>Positioning and draping of the client while working</u>	2
<u>Observation of modalities</u>	
<u>Electrolysis (DC – galvanic)</u>	5
<u>Thermolysis (SW – shortwave)</u>	15+
<u>Blend (combination of galvanic and shortwave)</u>	10
<u>Hands-on experience with modalities</u>	
<u>Electrolysis (DC – galvanic)</u>	25
<u>Thermolysis (SW – shortwave)</u>	200
<u>Blend (combination of galvanic and shortwave)</u>	75
<u>Equipment maintenance and upkeep</u>	1
<u>Development of practice: public relations and advertisement, office procedure and management, financial recordkeeping, customer service, and office upkeep</u>	5
<u>Total Hours</u>	<u>625</u>

(b) The student shall complete Electrology Fundamentals I before beginning other parts of the curriculum. The student shall not begin Onsite Practical Training before Electrology Fundamentals II, although the student may do Onsite Practical Training at the same time as Electrology Fundamentals II.

(c) The student shall complete Electrology Fundamentals I within a 25-week time frame. The student shall complete both Electrology Fundamentals II and Onsite Practical Training within a 52-week time frame.

(d) The electrology apprenticeship program may offer Electrology Fundamentals I and Electrology Fundamentals II online. The program shall only offer Onsite Practical Training, as described in Paragraph (a) of this Rule, in person.

(e) The electrology apprenticeship program shall administer exams for each topic under Electrology Fundamentals I and Electrology Fundamentals II, as set forth in Paragraph (a) of this Rule, to determine whether a student has an understanding of the material that is satisfactory to the program.

(f) The electrology apprenticeship program shall use the following textbooks:

- (1) "Milady's Hair Removal Techniques: A Comprehensive Manual"; and
- (2) "Milady's Standard Esthetics."

Authority G.S. 86B-65.

21 NCAC 06Z .0103 FACILITY REQUIREMENTS

(a) A North Carolina electrology facility that offers an electrology apprenticeship program shall have the following equipment onsite:

- (1) A high frequency or thermolysis (short wave) machine;
- (2) A galvanic/thermolysis (blend) machine;
- (3) A 13.5 MHz epilator;
- (4) A 27 MHz epilator;
- (5) A treatment table;
- (6) Two stools or adjustable chairs for each treatment table;
- (7) A supply cabinet for each treatment table;
- (8) Six dozen epilation forceps (tweezers) that meet the requirements set forth in 21 NCAC 06V .0105(c)(2);
- (9) At least one holding tank for epilation forceps (tweezers) at each electrology station;
- (10) A sharps container for each electrology station;
- (11) At least one FDA-approved dry heat sterilizer or autoclave;
- (12) At least one ultrasonic cleaner;
- (13) Illumination and magnification equipment to aid with electrology services;
- (14) A sink with running hot and cold water within the office or suite where the electrology apprenticeship program is located and not shared with other businesses;
- (15) Toilet facilities on the same floor as the practical training area;
- (16) An electronic or punch-card time clock to record student hours.

(b) With the exception of service dogs, no animals shall be permitted in an electrology facility.

(c) All bottles and containers that contain electrology equipment and supplies shall have labels that indicate the contents.

(d) All electrology personnel and students shall wear the following during training and services:

- (1) Scrubs, lab coats, or medical-grade clothing;
- (2) Soft-soled shoes;
- (3) Surgical or N95 masks; and
- (4) Latex or nitrile gloves.

(e) The electrology facility shall comply with the infection-control rules in 21 NCAC 06V and post them in a conspicuous place. For the purposes of this Rule, "conspicuous place" means a place easily seen by the individuals receiving electrology services.

Authority G.S. 86B-65.

21 NCAC 06Z .0104 STUDENT HOURS AND PERMITS

(a) No practical training shall occur unless the student permit required by Rule .0101 of this Section is displayed at the electrology station.

(b) Students shall not earn hours in Onsite Practical Training, as described in Rule .0102 of this Section, unless an instructor is present. This instructor must be authorized under G.S. 86B-65.

(c) The school shall track student hours:

- (1) by having the students record their start and end time with the time clock required by of Rule .0103(a)(16) of this Section; or
- (2) for online classes, by having software track the student's online attendance.

(d) The electrology apprenticeship program shall not credit hours except as reflected in time-clock or online-tracking records as provided in Paragraph (c) of this Rule.

(e) The electrology apprenticeship program shall maintain time-clock records during the student's enrollment and at least one year after the student drops, transfers, or completes the program.

(f) For each electrology student, the instructor shall submit the monthly report as set forth in 21 NCAC 06U .0107 to the Board at the address listed in 21 NCAC 06A .0102 by the 15th day of each month. The monthly report shall include the hours accrued for the previous month.

Authority G.S. 86B-65.

21 NCAC 06Z .0105 PROGRAM HANDBOOKS AND ENROLLMENT AGREEMENTS

(a) Every electrology apprenticeship program shall provide a program handbook to its students upon enrollment. The program handbook shall contain the following information:

- (1) Enrollment agreement;
- (2) Schedule of fees, including any monetary penalties;
- (3) Reimbursement policies;
- (4) School rules and requirements;
- (5) Tardiness and absenteeism policies;
- (6) A copy of the curriculum as set forth in Rule .0102 of this Section;
- (7) An explanation of how the curriculum content will be delivered, such as through online modules; and
- (8) The grading system for the curriculum.

(b) The electrology apprenticeship program shall submit a copy of the program handbook to the Board at the address listed in 21 NCAC 06A .0102 before enrolling students. An updated copy of the handbook shall be submitted to the Board within 30 days of any amendment or revision.

Authority G.S. 86B-65.

21 NCAC 06Z .0106 INSTRUCTORS IN AN ELECTROLOGY APPRENTICESHIP PROGRAM

(a) The Board shall issue an authorization to an instructor in an electrology program if he or she:

- (1) meets the requirements in G.S. 86B-65, and 21 NCAC 06U .0108; and
- (2) makes a score of at least 85 on the written exam.

(b) The authorization in Paragraph (a) of this Rule shall only apply to a specific electrology apprenticeship program and cannot be transferred to another program.

(c) An instructor in an electrology apprenticeship program shall notify the Board in writing at the address in 21 NCAC 06A .0102 if he or she is no longer working as an instructor in the electrology apprenticeship program. The instructor shall submit this notification within 15 days of the end of his or her work as an instructor in the program.

(d) The Board shall revoke the authorization in Paragraph (a) of this Rule for the following reasons:

- (1) falsification of documents related to the electrology apprenticeship program;
- (2) failure to maintain an electrology license;
- (3) failure to provide oversight required by Board statute and rule to students enrolled in an electrology apprenticeship program; or
- (4) termination of the electrology apprenticeship program.

Authority G.S. 86B-65.

21 NCAC 06Z .0107 TRANSFERS

Students attending electrology apprenticeship programs in North Carolina may transfer to another program and receive credit for attendance at each of the programs where the student was enrolled.

Authority G.S. 86B-65.

21 NCAC 06Z .0108 PROGRAM COMPLETION

(a) Within 15 days of a student completing an electrology apprenticeship program, the instructor shall submit the report set forth in 21 NCAC 06U .0107, notwithstanding the requirement in Rule .0104(e) of this Section to submit the report by the 15th day of the following month.

(b) The report in Paragraph (a) shall be accompanied by a sworn statement that the hours reported are accurate and that the student has completed the requirements of the curriculum set forth in Rule .0102 of this Section.

(c) The documentation required by this Rule shall be submitted to the Board at the address listed in 21 NCAC 06A .0102.

Authority G.S. 86B-65.

21 NCAC 06Z .0109 POST-APPRENTICESHIP ELECTROLOGY LICENSE

An individual who attended an electrology apprenticeship program and wishes to be licensed shall:

- (1) submit the post-apprenticeship application as set forth in 21 NCAC 06U .0109 to the Board at the address listed in 21 NCAC 06A .0102; and
- (2) make a score of at least 70 on the clinical examination.

Authority G.S. 86B-65.

21 NCAC 06Z .0110 APPROVAL AS AN ELECTROLOGY APPRENTICESHIP PROGRAM

(a) To receive approval as an electrology apprenticeship program, a business must:

- (1) submit the application as set forth in 21 NCAC 06N .0110;
- (2) pass a facility inspection that assesses whether the program complies with requirements set forth in Rule .0103 of this Section; and

- (3) employ an instructor for an electrology apprenticeship program who is approved under Rule .0106 of this Section.
- (b) Within five business days of determining that an electrology apprenticeship program meets the requirements in Paragraph (a) of this Rule, the Board shall issue an approval to the program.
- (c) No electrology apprenticeship program shall operate without first receiving the approval in Paragraph (b) of this Rule.
- (d) If a business is not ready for the facility inspection on a scheduled date, the owner or instructor shall notify the Board at the address listed in 21 NCAC 06A .0102 at least one business day before the scheduled inspection. The business shall forfeit the inspection fee if it fails to provide timely notice to the Board.
- (e) The Board shall terminate approval of an electrology apprenticeship program for the following reasons:
 - (1) the program no longer has an instructor;
 - (2) after receiving a written warning, the facility fails to comply with the requirements in Rule .0103 of this Section;
 - (3) the Board determines that the program has falsified documents related to the program, and revocation of the instructor authorization as set forth in Rule .0106(d) of this Section will not prevent further falsification of documents; or
 - (4) the Board determines that the program has failed to provide the oversight required by Board statute and rule to students enrolled in the program, and revocation of the instructor authorization as set forth in Rule .0106(d) of this Section will not prevent further failures.

Authority G.S. 86B-65.