



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

**OAH USE ONLY**

**VOLUME:**

**ISSUE:**

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners
<b>2. Rule citation &amp; name:</b> 21 NCAC 06O .0201 - ELECTROLOGY APPRENTICESHIP PROGRAM
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes <b>Effective date:</b> <input checked="" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b> <b>a. Proposed Temporary Rule submitted to OAH:</b> February 28, 2023 <b>b. Proposed Temporary Rule published on the OAH website:</b> March 6, 2023 <b>c. Public Hearing date:</b> March 15, 2023 <b>d. Comment Period:</b> February 28 - March 28, 2023 <b>e. Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023 <b>f. Adoption by agency on:</b> April 18, 2023 <b>g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023 <b>h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b>
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b>  <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:
<b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on: February 28, 2023

Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06O .0201 is adopted under temporary procedures as follows:

2  
3 **SECTION .0200 – ELECTROLYSIS**

4  
5 **21 NCAC 06O .0201 ELECTROLOGY APPRENTICESHIP PROGRAM**

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

7 (1) 1st offense \$300.00

8 (2) 2nd offense \$400.00

9 (3) 3rd offense \$500.00

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

12 (1) 1st offense \$300.00

13 (2) 2nd offense \$400.00

14 (3) 3rd offense \$500.00

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

17 (1) 1st offense \$200.00

18 (2) 2nd offense \$300.00

19 (3) 3rd offense \$500.00

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

22 (1) 1st offense \$250.00

23 (2) 2nd offense \$400.00

24 (3) 3rd offense \$500.00

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

27 (1) 1st offense \$100.00

28 (2) 2nd offense \$150.00

29 (3) 3rd offense \$250.00

30 (f) The presumptive civil penalty for an electrology apprenticeship program providing training without an instructor  
31 present:

32 (1) 1st offense \$150.00

33 (2) 2nd offense \$300.00

34 (3) 3rd offense \$500.00

35 (g) The presumptive civil penalty for an electrology apprenticeship program failing to maintain records required by  
36 this Chapter:

37 (1) 1st offense \$200.00

1           (2)      2nd offense      \$250.00

2           (3)      3rd offense      \$500.00

3 (h) The presumptive civil penalty for an electrology apprenticeship program falsifying records required by this  
4 Chapter: \$500.00.

5 (i) The presumptive civil penalty for an electrology apprenticeship program failing to submit records required by this  
6 Chapter:

7           (1)      1st offense      \$200.00

8           (2)      2nd offense      \$350.00

9           (3)      3rd offense      \$500.00

10 (j) The presumptive civil penalty for an electrology apprenticeship program allowing an individual to instruct without  
11 an instructor authorization:

12           (1)      1st offense      \$200.00

13           (2)      2nd offense      \$300.00

14           (3)      3rd offense      \$500.00

15 (k) The presumptive civil penalty for an individual instructing without authorization from the Board at an electrology  
16 apprenticeship program:

17           (1)      1st offense      \$200.00

18           (2)      2nd offense      \$300.00

19           (3)      3rd offense      \$500.00

20 (l) The presumptive civil penalty for an individual failing to submit the required notification set forth in 21 NCAC  
21 06Z .0106(c):

22           (1)      1st offense      \$50.00

23           (2)      2nd offense      \$100.00

24           (3)      3rd offense      \$200.00

25

26 *History Note:      Authority G.S. 86B-10; 86B-65;*

27 *Temporary Adoption Eff. June 1, 2023.*



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners
<b>2. Rule citation &amp; name:</b> 21 NCAC 06O .0202 - UNLICENSED PRACTICE
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes                      Effective date: <input checked="" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b> a. <b>Proposed Temporary Rule submitted to OAH:</b> February 28, 2023 b. <b>Proposed Temporary Rule published on the OAH website:</b> March 6, 2023 c. <b>Public Hearing date:</b> March 15, 2023 d. <b>Comment Period:</b> February 28 - March 28, 2023 e. <b>Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023 f. <b>Adoption by agency on:</b> April 18, 2023 g. <b>Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023 h. <b>Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b>
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b>  <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:
<b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in Chapter 86B, established a new board. Although there was a board that previously existed and that had jurisdiction over electrologists and laser-hair practitioners, the General Assembly eliminated that agency and transferred responsibility for regulation of those industries to the new board. This new Board determined that a civil penalty needed to be established for noncompliance with the licensure requirements of the new Chapter 86B.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

- Yes**  
Agency submitted request for consultation on: February 28, 2023  
Consultation not required. Cite authority:
- No**

**9. Rule-making Coordinator:**

Dennis Seavers  
**Phone:**  
919-814-0641  
**E-Mail:**  
dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**  
**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**  
Sherod Holloway  
**Title:**  
Chairman  
**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06O .0202 is adopted under temporary procedures as follows:

2

3 **21 NCAC 06O .0202 UNLICENSED PRACTICE**

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

6

7 *History Note: Authority G.S. 86B-10; 86B-52;*

8 *Temporary Adoption Eff. June 1, 2023.*



**TEMPORARY RULE-MAKING  
FINDINGS OF NEED**  
[Authority G.S. 150B-21.1]

**OAH USE ONLY**

**VOLUME:**

**ISSUE:**

<p><b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners</p>
<p><b>2. Rule citation &amp; name:</b> 21 NCAC 06O .0203 - SCHOOLS</p>
<p><b>3. Action:</b>      <input checked="" type="checkbox"/> Adoption      <input type="checkbox"/> Amendment      <input type="checkbox"/> Repeal</p>
<p><b>4. Was this an Emergency Rule:</b>    <input type="checkbox"/> Yes      Effective date:   <input checked="" type="checkbox"/> No</p>
<p><b>5. Provide dates for the following actions as applicable:</b></p> <p>a. <b>Proposed Temporary Rule submitted to OAH:</b> February 28, 2023</p> <p>b. <b>Proposed Temporary Rule published on the OAH website:</b> March 6, 2023</p> <p>c. <b>Public Hearing date:</b> March 15, 2023</p> <p>d. <b>Comment Period:</b> February 28 - March 28, 2023</p> <p>e. <b>Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023</p> <p>f. <b>Adoption by agency on:</b> April 18, 2023</p> <p>g. <b>Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023</p> <p>h. <b>Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b></p>
<p><b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b></p> <p><input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare.</p> <p><input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date:</p> <p><input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change:</p> <p><input type="checkbox"/> A recent federal regulation. Cite: Effective date:</p> <p><input type="checkbox"/> A recent court order. Cite order:</p> <p><input type="checkbox"/> Other:</p> <p><b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners.</p>



**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in Chapter 86B, established a new board that did not previously exist. Although there was a board that previously existed and that had jurisdiction over schools for electrologists and laser-hair practitioners, the General Assembly eliminated that agency and transferred responsibility for regulation of those industries to the new board. This new Board determined that a civil penalty needed to be established for noncompliance with the licensure requirements of the new Chapter 86B.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

**Yes**

Agency submitted request for consultation on: February 28, 2023

Consultation not required. Cite authority:

**No**

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06O .0203 is adopted under temporary procedures as follows:

2

3 **21 NCAC 06O .0203 SCHOOLS**

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

6 (1) 1st offense \$300.00

7 (2) 2nd offense \$400.00

8 (3) 3rd offense \$500.00

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

11 (1) 1st offense \$200.00

12 (2) 2nd offense \$250.00

13 (3) 3rd offense \$500.00

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

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

18 (1) 1st offense \$200.00

19 (2) 2nd offense \$350.00

20 (3) 3rd offense \$500.00

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

23 (1) 1st offense \$250.00

24 (2) 2nd offense \$400.00

25 (3) 3rd offense \$500.00

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

28 (1) 1st offense \$250.00

29 (2) 2nd offense \$400.00

30 (3) 3rd offense \$500.00

31

32 *History Note: Authority G.S. 86B-10; 86B-67; 86B-68;*

33 *Temporary Adoption Eff. June 1, 2023.*



TEMPORARY RULE-MAKING  
FINDINGS OF NEED  
[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners
<b>2. Rule citation &amp; name:</b> 21 NCAC 06U .0101 - FEES
<b>3. Action:</b> <input type="checkbox"/> Adoption <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Repeal
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes <b>Effective date:</b> <input checked="" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b> a. <b>Proposed Temporary Rule submitted to OAH:</b> February 28, 2023 b. <b>Proposed Temporary Rule published on the OAH website:</b> March 6, 2023 c. <b>Public Hearing date:</b> March 15, 2023 d. <b>Comment Period:</b> February 28 - March 28, 2023 e. <b>Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023 f. <b>Adoption by agency on:</b> April 18, 2023 g. <b>Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023 h. <b>Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b>
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b>  <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:  <b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program. Finally, it increased the fees the board could change for electrologist examinations.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board would not be able to charge the new fees, which are a source of board revenue. The legislation also allowed the board to charge a higher amount for examinations to match the current amount charged by the vendor. Temporary rules are necessary to allow the board to charge the actual rate for exams and to implement the new legislative provision.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on: February 28, 2023

Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06U .0101 is amended under temporary procedures as follows:

2

3 **21 NCAC 06U .0101 FEES**

4 (a) The following fees are payable to the Board for licensure as an electrologist:

5	(1)	Application for licensure	\$150.00
6	(2)	Initial licensure	\$125.00
7	(3)	Renewal of licensure	\$125.00

8 (b) The following fees are payable to the Board for licensure as a laser hair practitioner:

9	(1)	Application for licensure	\$125.00
10	(2)	Initial licensure	\$125.00
11	(3)	Renewal of licensure	\$150.00

12 (c) The following fees are payable to the Board for certification as an instructor:

13	(1)	Application for Electrology instructor	\$150.00
14	(2)	Renewal of Electrology instructor	\$125.00
15	(3)	Application for laser hair practitioner instructor	\$150.00
16	(4)	Renewal of laser hair practitioner instructor	\$125.00

17 (d) The following fees are payable to the Board for certification as a Board approved school:

18	(1)	IN STATE SCHOOL	
19	(A)	Application for certification as an Electrology school	\$250.00
20	(B)	Renewal of certification as an Electrology school	\$150.00
21	(C)	Application for certification as a laser, light source,	
22		or pulse light treatment school	\$250.00
23	(D)	Renewal of certification for a laser, light source,	
24		or pulse light treatment school	\$150.00
25	(2)	OUT-OF-STATE SCHOOL	
26	(A)	Application for certification as an Electrology school	\$400.00
27	(B)	Initial certification as an Electrology school	\$100.00
28	(C)	Renewal of certification for an Electrology school	\$100.00
29	(D)	Application for certification as a laser, light source,	
30		or pulse light treatment school	\$350.00
31	(E)	Initial certification as a laser, light source,	
32		or pulse light treatment school	\$75.00
33	(F)	Renewal of certification as a laser, light source,	
34		or pulse light treatment school	\$100.00

35 (e) The following other fees are payable to the Board:

36	(1)	Electrologist Examination or reexamination	<del>\$125.00</del> <u>\$150.00</u>
37	(2)	Office inspection or re-inspection	

1	(A)	Electrologist – per licensee, for each office site	\$100.00
2	(B)	Laser Hair Practitioner – per licensee, for each office site	\$100.00
3	(C)	<u>Electrology apprenticeship program facility</u>	<u>\$100.00</u>
4	(3)	License by reciprocity	\$125.00
5	(4)	Late renewal charge	\$50.00
6	(5)	Reinstatement of expired license	\$250.00
7	(6)	Reinstatement of instructor licensure	\$250.00
8	(7)	Reactivation of license	\$150.00
9	(8)	Reactivation of instructor licensure	\$150.00
10	(9)	Duplicate license	\$25.00

11 (f) All fees shall be paid only by ~~check~~ check, cashier check, official check, teller check, or money order, made  
 12 payable to "~~The North~~ "North Carolina Board of Barber and Electrolysis Examiners."

13 (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  
 14 for licensees under this Chapter ~~that~~ who are exempt from renewal fees under G.S. 93B-15.

15

16 *History Note: Authority G.S. 88A-9; 93B-15;*  
 17 *Temporary Adoption Eff. December 1, 1991 for a period of 62 days to expire on February 1, 1992;*  
 18 *Eff. January 1, 1992;*  
 19 *Temporary Amendment Eff. September 17, 2001;*  
 20 *Amended Eff. September 1, 2015; October 9, 2010; December 4, 2002;*  
 21 *Readopted Eff. September 1, 2019;*  
 22 *Recodified from 21 NCAC 19 .0201 Eff. January 1, ~~2023~~ 2023;*  
 23 *Temporary Amendment Eff. June 1, 2023.*



**TEMPORARY RULE-MAKING  
FINDINGS OF NEED**  
[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners
<b>2. Rule citation &amp; name:</b> 21 NCAC 06U .0106 - STUDENT PERMIT FOR ELECTROLOGY APPRENTICESHIP PROGRAM
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes                      Effective date: <input checked="" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b> a. Proposed Temporary Rule submitted to OAH: February 28, 2023 b. Proposed Temporary Rule published on the OAH website: March 6, 2023 c. Public Hearing date: March 15, 2023 d. Comment Period: February 28 - March 28, 2023 e. Notice pursuant to G.S. 150B-21.1(a3)(2): March 6, 2023 f. Adoption by agency on: April 18, 2023 g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]: June 1, 2023 h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b> <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:  <b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:

Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:



1 21 NCAC 06U .0106 is adopted under temporary procedures as follows:

2

3 **21 NCAC 06U .0106 STUDENT PERMIT FOR ELECTROLOGY APPRENTICESHIP PROGRAM**

4 (a) The application for a student permit shall be filed for permission to enroll in an electrology apprenticeship program.

5 The application requires the following:

6 (1) the name, address, social security number, and birth date of the applicant;

7 (2) the name, address, email address, and website address of the electrology business where the  
8 apprenticeship program will occur;

9 (3) the name and license number of the electrologist under whom the applicant will study;

10 (4) the name of the owner of the electrology business where the apprenticeship program will occur, if  
11 the owner is different from the person listed in Subparagraph (3) of this Paragraph; and

12 (5) the date when the apprenticeship program will begin.

13 (b) The application shall be submitted to the Board at the address in 21 NCAC 06A .0102.

14

15 *History Note: Authority G.S. 86B-65; 93B-14;*

16 *Temporary Adoption Eff. June 1, 2023.*



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners	
<b>2. Rule citation &amp; name:</b> 21 NCAC 06U .0107 - MONTHLY REPORTS FOR ELECTROLOGY APPRENTICESHIP PROGRAM	
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal	
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes <b>Effective date:</b> <input checked="" type="checkbox"/> No	
<b>5. Provide dates for the following actions as applicable:</b> <b>a. Proposed Temporary Rule submitted to OAH:</b> February 28, 2023 <b>b. Proposed Temporary Rule published on the OAH website:</b> March 6, 2023 <b>c. Public Hearing date:</b> March 15, 2023 <b>d. Comment Period:</b> February 28 - March 28, 2023 <b>e. Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023 <b>f. Adoption by agency on:</b> April 18, 2023 <b>g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023 <b>h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b>	
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b> <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:	
<b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.	

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06U .0107 is adopted under temporary procedures as follows:  
2

3 **21 NCAC 06U .0107 MONTHLY REPORTS FOR ELECTROLOGY APPRENTICESHIP PROGRAM**

4 (a) The monthly report for an electrology apprenticeship program is a Board-prescribed form that shall be filed by  
5 the program instructor or facility owner. The form shall be available at the website addresses listed in 21 NCAC 06A  
6 .0102.

7 (b) The monthly report shall include the following information:

8 (1) the name of the electrology apprenticeship program;

9 (2) the name of the student;

10 (3) the month and year for which the report is filed; and

11 (4) the dates and number of hours of the student's attendance, with the hours broken down by the topics  
12 in the curriculum set forth in 21 NCAC 06Z .0102.

13 (c) The monthly report shall be signed by the instructor, who shall attest that the contents of the report are accurate.  
14

15 *History Note: Authority G.S. 86B-65;*

16 *Temporary Adoption Eff. June 1, 2023.*



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

<b>OAH USE ONLY</b>
<b>VOLUME:</b>
<b>ISSUE:</b>

<b>1. Rule-Making Agency:</b>	North Carolina Board of Barber and Electrolysis Examiners
<b>2. Rule citation &amp; name:</b>	21 NCAC 06U .0108 - APPLICATION FOR INSTRUCTOR IN ELECTROLOGY APPRENTICESHIP PROGRAM
<b>3. Action:</b>	<input checked="checked" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal
<b>4. Was this an Emergency Rule:</b>	<input type="checkbox"/> Yes <b>Effective date:</b> <input checked="checked" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b>	<p>a. <b>Proposed Temporary Rule submitted to OAH:</b> February 28, 2023</p> <p>b. <b>Proposed Temporary Rule published on the OAH website:</b> March 6, 2023</p> <p>c. <b>Public Hearing date:</b> March 15, 2023</p> <p>d. <b>Comment Period:</b> February 28 - March 28, 2023</p> <p>e. <b>Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023</p> <p>f. <b>Adoption by agency on:</b> April 18, 2023</p> <p>g. <b>Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023</p> <p>h. <b>Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b></p>
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b>	<input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="checked" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. <b>Cite:</b> S.L. 2022-72 <b>Effective date:</b> <input type="checkbox"/> A recent change in federal or state budgetary policy. <b>Effective date of change:</b> <input type="checkbox"/> A recent federal regulation. <b>Cite:</b> <b>Effective date:</b> <input type="checkbox"/> A recent court order. <b>Cite order:</b> <input type="checkbox"/> Other:
<b>Explain:</b>	S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06U .0108 is adopted under temporary procedures with changes as follows:

2

3 **21 NCAC 06U .0108 APPLICATION FOR INSTRUCTOR IN ELECTROLOGY APPRENTICESHIP**  
4 **PROGRAM**

5 (a) An application shall be filed by an individual who seeks Board authorization as an instructor in an electrology  
6 apprenticeship program. The application requires the following:

7 (1) the name, address, and birth date of the applicant;

8 (2) the current electrology license number; and

9 (3) ~~Evidence~~ evidence of completing the Board-approved continuing education as set forth in G.S. 86B-  
10 65(d)(3). This continuing education shall be separate from continuing education received for other  
11 licenses issued by the Board.

12 (b) The form shall include the applicant's attestation that the information in the form is correct.

13

14 *History Note: Authority G.S. 86B-65;*

15 *Temporary Adoption Eff. June 1, 2023.*



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

**OAH USE ONLY**

VOLUME:

ISSUE:

**1. Rule-Making Agency:**

North Carolina Board of Barber and Electrolysis Examiners

**2. Rule citation & name:**

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

**3. Action:**  Adoption  Amendment  Repeal

**4. Was this an Emergency Rule:**  Yes  No **Effective date:**

**5. Provide dates for the following actions as applicable:**

a. Proposed Temporary Rule submitted to OAH: February 28, 2023

b. Proposed Temporary Rule published on the OAH website: March 6, 2023

c. Public Hearing date: March 15, 2023

d. Comment Period: February 28 - March 28, 2023

e. Notice pursuant to G.S. 150B-21.1(a3)(2): March 6, 2023

f. Adoption by agency on: April 18, 2023

g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]: June 1, 2023

h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:

**6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.**

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.  
Cite: S.L. 2022-72  
Effective date:
- A recent change in federal or state budgetary policy.  
Effective date of change:
- A recent federal regulation.  
Cite:  
Effective date:
- A recent court order.  
Cite order:
- Other:

**Explain:**

S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.



**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06U .0109 is adopted under temporary procedures with changes as follows:

2  
3 **21 NCAC 06U .0109 POST-APPRENTICESHIP APPLICATION FOR LICENSURE**

4 (a) The post-apprenticeship application for licensure shall be filed by an individual who has completed an  
5 electrology apprenticeship program as set forth in ~~S.L. 2022-72, s. 2~~, G.S. 86B-65 and this Section. The application  
6 requires the following information:

- 7 (1) the name, address, social security number, and birthdate of the applicant;
- 8 (2) the name and address of the electrology apprenticeship program;
- 9 (3) the name of the instructor of the electrology apprenticeship program;
- 10 (4) the names and addresses of the two electrologist offices where the applicant visited, as well as the  
11 dates when the visits occurred, as required by ~~S.L. 2022-72, s. 2~~; G.S. 86B-65(a)(2);
- 12 (5) a passport-acceptable ~~photograph~~ photograph, as set forth in 22 CFR 21.26, except that the photo  
13 may have been taken within the past two years; and
- 14 (6) proof of age as evidenced by a copy of a current:
- 15 (A) driver license or identification card issued by a state or territory in the United States;
- 16 (B) United States passport or passport card;
- 17 (C) United States permanent resident card;
- 18 (D) United States employment authorization document card;
- 19 (E) birth certificate issued by a state, county, municipal authority, or outlying territory of the  
20 United States;
- 21 (F) consular report of birth abroad, certification of birth abroad issued by the United States  
22 Department of State, or certification of report of birth issued by the United States  
23 Department of State; or
- 24 (G) Native American tribal document.

25 (b) The fee in Rule .0101 of this Section shall be submitted with the application.

26 (c) The application form shall include the applicant's attestation that the information in the form is correct.

27  
28 *History Note: Authority G.S. 86B-65; 93B-14;*

29 *Temporary Adoption Eff. June 1, 2023.*



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners
<b>2. Rule citation &amp; name:</b> 21 NCAC 06U .0110 - APPLICATION FOR APPROVAL AS AN ELECTROLOGY APPRENTICESHIP PROGRAM
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes <b>Effective date:</b> <input checked="" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b> <b>a. Proposed Temporary Rule submitted to OAH:</b> February 28, 2023 <b>b. Proposed Temporary Rule published on the OAH website:</b> March 6, 2023 <b>c. Public Hearing date:</b> March 15, 2023 <b>d. Comment Period:</b> February 28 - March 28, 2023 <b>e. Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023 <b>f. Adoption by agency on:</b> April 18, 2023 <b>g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B-21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023 <b>h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b>
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b>  <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:
<b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06U .0110 is adopted under temporary procedures as follows:

2  
3 **21 NCAC 06U .0110 APPLICATION FOR APPROVAL AS AN ELECTROLOGY APPRENTICESHIP**  
4 **PROGRAM**

5 (a) An application shall be filed by a facility that wishes to offer an electrology apprenticeship program. The  
6 application requires the following:

7 (1) the name and address of the business;

8 (2) the names, addresses, and authorization numbers of the instructors for the electrology apprenticeship  
9 program;

10 (3) the names and addresses of the owners of the electrology apprenticeship program, if different from  
11 the information provided under Subparagraph (2) of this Paragraph;

12 (4) the business hours;

13 (5) the physical dimension of the training area;

14 (6) the number of treatment tables; and

15 (7) the date the business will be ready for inspection.

16 (b) The fee required by Rule .0101 of this Section shall accompany the application.

17 (c) The application shall include the applicant's attestation that the information in the form is correct.

18  
19 *History Note: Authority G.S. 86B-65;*

20 *Temporary Adoption Eff. June 1, 2023.*



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

**1. Rule-Making Agency:**

North Carolina Board of Barber and Electrolysis Examiners

**2. Rule citation & name:**

21 NCAC 06Z .0101 - ENROLLMENT REQUIREMENTS AND STUDENT PERMITS

**3. Action:**

Adoption

Amendment

Repeal

**4. Was this an Emergency Rule:**

Yes

No

**Effective date:**

**5. Provide dates for the following actions as applicable:**

a. **Proposed Temporary Rule submitted to OAH:** February 28, 2023

b. **Proposed Temporary Rule published on the OAH website:** March 6, 2023

c. **Public Hearing date:** March 15, 2023

d. **Comment Period:** February 28 - March 28, 2023

e. **Notice pursuant to G.S. 150B-21.1(a3)(2):** March 6, 2023

f. **Adoption by agency on:** April 18, 2023

g. **Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:** June 1, 2023

h. **Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:**

**6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.**

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.  
Cite: S.L. 2022-72  
Effective date:
- A recent change in federal or state budgetary policy.  
Effective date of change:
- A recent federal regulation.  
Cite:  
Effective date:
- A recent court order.  
Cite order:
- Other:

**Explain:**

S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06Z .0101 is adopted under temporary procedures as follows:  
2

3 **SUBCHAPTER 06Z – ELECTROLOGY APPRENTICESHIP PROGRAM**  
4

5 **21 NCAC 06Z .0101 ENROLLMENT REQUIREMENTS AND STUDENT PERMITS**

6 (a) An electrology apprenticeship program shall not accept tuition from or enroll a student unless the student has  
7 submitted the application for a student permit required by 21 NCAC 06U .0106 and been issued a student permit by  
8 the Board.

9 (b) The student permit shall only be valid for a specific electrology apprenticeship program and cannot be used in  
10 another location.

11 (c) A new application for a student permit shall be filed with the Board for a student who drops out of the program  
12 and later re-enrolls.

13 (d) Before accepting tuition or enrolling a student, the apprenticeship program shall notify a student applicant of the  
14 minimum qualifications for licensure as an electrologist as set forth in G.S. 86B-53, including the minimum-age  
15 requirement. The apprenticeship program shall have the applicant sign and date the notice indicating that the applicant  
16 has been informed of the qualifications. The apprenticeship program shall retain the signed and dated notice for at  
17 least one year after the student terminates from the program.

18  
19 *History Note: Authority G.S. 86B-65;*  
20 *Temporary Adoption Eff. June 1, 2023.*





# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners	
<b>2. Rule citation &amp; name:</b> 21 NCAC 06Z .0102 - CURRICULUM	
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal	
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Effective date:</b>	
<b>5. Provide dates for the following actions as applicable:</b> a. <b>Proposed Temporary Rule submitted to OAH:</b> February 28, 2023 b. <b>Proposed Temporary Rule published on the OAH website:</b> March 6, 2023 c. <b>Public Hearing date:</b> March 15, 2023 d. <b>Comment Period:</b> February 28 - March 28, 2023 e. <b>Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023 f. <b>Adoption by agency on:</b> April 18, 2023 g. <b>Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023 h. <b>Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b>	
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b> <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:	
<b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.	

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06Z .0102 is adopted under temporary procedures as follows:

2

3 **21 NCAC 06Z .0102 CURRICULUM**

4 (a) The curriculum for an electrology apprenticeship program shall consist of 625 hours of technical instruction and  
5 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>	

37

1	<u>Electrolysis (DC – galvanic)</u>	<u>5</u>
2	<u>Thermolysis (SW – shortwave)</u>	<u>15</u>
3	<u>Blend (combination of galvanic and shortwave)</u>	<u>10</u>
4	<u>Hands-on experience with modalities</u>	
5	<u>Electrolysis (DC – galvanic)</u>	<u>25</u>
6	<u>Thermolysis (SW – shortwave)</u>	<u>200</u>
7	<u>Blend (combination of galvanic and shortwave)</u>	<u>75</u>
8	<u>Equipment maintenance and upkeep</u>	<u>1</u>
9	<u>Development of practice: public relations and advertisement, office procedure and management,</u>	
10	<u>financial recordkeeping, customer service, and office upkeep</u>	<u>5</u>
11		<u>Total Hours 625</u>

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

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

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

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

22 (f) The electrology apprenticeship program shall use the following textbooks:  
23 (1) “Milady’s Hair Removal Techniques: A Comprehensive Manual”; and  
24 (2) “Milady’s Standard Esthetics.”

25  
26 *History Note: Authority G.S. 86B-65;*  
27 *Temporary Adoption Eff. June 1, 2023.*



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners
<b>2. Rule citation &amp; name:</b> 21 NCAC 06Z .0103 - FACILITY REQUIREMENTS
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes <b>Effective date:</b> <input checked="" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b> a. <b>Proposed Temporary Rule submitted to OAH:</b> February 28, 2023 b. <b>Proposed Temporary Rule published on the OAH website:</b> March 6, 2023 c. <b>Public Hearing date:</b> March 15, 2023 d. <b>Comment Period:</b> February 28 - March 28, 2023 e. <b>Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023 f. <b>Adoption by agency on:</b> April 18, 2023 g. <b>Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023  h. <b>Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b>
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b>  <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:
<b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06Z .0103 is adopted under temporary procedures with changes as follows:

2  
3 **21 NCAC 06Z .0103 FACILITY REQUIREMENTS**

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

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

24 (b) With the exception of service ~~dogs~~, animals as defined in 28 CFR 36.104, no animals shall be permitted in an  
25 electrology facility.

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

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

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

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

36  
37 *History Note: Authority G.S. 86B-65;*







# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners	
<b>2. Rule citation &amp; name:</b> 21 NCAC 06Z .0104 - STUDENT HOURS AND PERMITS	
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal	
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes <b>Effective date:</b>	<input checked="" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b>	
a. Proposed Temporary Rule submitted to OAH: February 28, 2023	
b. Proposed Temporary Rule published on the OAH website: March 6, 2023	
c. Public Hearing date: March 15, 2023	
d. Comment Period: February 28 - March 28, 2023	
e. Notice pursuant to G.S. 150B-21.1(a3)(2): March 6, 2023	
f. Adoption by agency on: April 18, 2023	
g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]: June 1, 2023	
h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:	
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b>	
<input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare.	
<input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress.	
Cite: S.L. 2022-72	
Effective date:	
<input type="checkbox"/> A recent change in federal or state budgetary policy.	
Effective date of change:	
<input type="checkbox"/> A recent federal regulation.	
Cite:	
Effective date:	
<input type="checkbox"/> A recent court order.	
Cite order:	
<input type="checkbox"/> Other:	
<b>Explain:</b>	
S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.	

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:

Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06Z .0104 is adopted under temporary procedures as follows:

2

3 **21 NCAC 06Z .0104 STUDENT HOURS AND PERMITS**

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

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

8 (c) The school shall track student hours:

9 (1) by having the students record their start and end time with the time clock required by Rule  
10 .0103(a)(16) of this Section; or

11 (2) for online classes, by having software track the student's online attendance.

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

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

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

19

20 *History Note: Authority G.S. 86B-65;*

21 *Temporary Adoption Eff. June 1, 2023.*



**TEMPORARY RULE-MAKING  
FINDINGS OF NEED**  
[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

**1. Rule-Making Agency:**

North Carolina Board of Barber and Electrolysis Examiners

**2. Rule citation & name:**

21 NCAC 06Z .0105 - PROGRAM HANDBOOKS AND ENROLLMENT AGREEMENTS

**3. Action:**

Adoption

Amendment

Repeal

**4. Was this an Emergency Rule:**  Yes

No

Effective date:

**5. Provide dates for the following actions as applicable:**

- a. **Proposed Temporary Rule submitted to OAH:** February 28, 2023
- b. **Proposed Temporary Rule published on the OAH website:** March 6, 2023
- c. **Public Hearing date:** March 15, 2023
- d. **Comment Period:** February 28 - March 28, 2023
- e. **Notice pursuant to G.S. 150B-21.1(a3)(2):** March 6, 2023
- f. **Adoption by agency on:** April 18, 2023
- g. **Proposed effective date of temporary rule [if other than effective date established by G.S. 150B-21.1(b) and G.S. 150B-21.3]:** June 1, 2023
- h. **Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:**

**6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.**

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.  
Cite: S.L. 2022-72  
Effective date:
- A recent change in federal or state budgetary policy.  
Effective date of change:
- A recent federal regulation.  
Cite:  
Effective date:
- A recent court order.  
Cite order:
- Other:

**Explain:**

S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06Z .0105 is adopted under temporary procedures as follows:

2

3 **21 NCAC 06Z .0105 PROGRAM HANDBOOKS AND ENROLLMENT AGREEMENTS**

4 (a) Every electrology apprenticeship program shall provide a program handbook to its students upon enrollment.

5 The program handbook shall contain the following information:

6 (1) Enrollment agreement;

7 (2) Schedule of fees, including any monetary penalties;

8 (3) Reimbursement policies;

9 (4) School rules and requirements;

10 (5) Tardiness and absenteeism policies;

11 (6) A copy of the curriculum as set forth in Rule .0102 of this Section;

12 (7) An explanation of how the curriculum content will be delivered, such as through online modules;

13 and

14 (8) The grading system for the curriculum.

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

18

19 *History Note: Authority G.S. 86B-65;*

20 *Temporary Adoption Eff. June 1, 2023.*



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

**OAH USE ONLY**

VOLUME:

ISSUE:

**1. Rule-Making Agency:**

North Carolina Board of Barber and Electrolysis Examiners

**2. Rule citation & name:**

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

**3. Action:**

Adoption

Amendment

Repeal

**4. Was this an Emergency Rule:**  Yes

Effective date:

No

**5. Provide dates for the following actions as applicable:**

a. Proposed Temporary Rule submitted to OAH: February 28, 2023

b. Proposed Temporary Rule published on the OAH website: March 6, 2023

c. Public Hearing date: March 15, 2023

d. Comment Period: February 28 - March 28, 2023

e. Notice pursuant to G.S. 150B-21.1(a3)(2): March 6, 2023

f. Adoption by agency on: April 18, 2023

g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]: June 1, 2023

h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:

**6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.**

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.  
Cite: S.L. 2022-72  
Effective date:
- A recent change in federal or state budgetary policy.  
Effective date of change:
- A recent federal regulation.  
Cite:  
Effective date:
- A recent court order.  
Cite order:
- Other:

**Explain:**

S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:



1 21 NCAC 06Z .0106 is adopted under temporary procedures with changes as follows:

2

3 **21 NCAC 06Z .0106 INSTRUCTORS IN AN ELECTROLOGY APPRENTICESHIP PROGRAM**

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

5 (1) meets the requirements in G.S. 86B-65, and 21 NCAC 06U .0108; and

6 (2) makes a score of at least 85 on the written exam.

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

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

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

13 (1) falsification of documents related to the electrology apprenticeship program;

14 (2) failure to maintain an electrology license;

15 (3) failure to provide oversight required by ~~Board statute and rule~~ Rule .0104 of this Subchapter to  
16 students enrolled in an electrology apprenticeship program; or

17 (4) termination of the electrology apprenticeship program.

18

19 *History Note: Authority G.S. 86B-65;*

20 *Temporary Adoption Eff. June 1, 2023.*



**TEMPORARY RULE-MAKING  
FINDINGS OF NEED**  
[Authority G.S. 150B-21.1]

<u><b>OAH USE ONLY</b></u>
VOLUME:
ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners
<b>2. Rule citation &amp; name:</b> 21 NCAC 06Z .0107 - TRANSFERS
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes <b>Effective date:</b> <input checked="" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b> <b>a. Proposed Temporary Rule submitted to OAH:</b> February 28, 2023 <b>b. Proposed Temporary Rule published on the OAH website:</b> March 6, 2023 <b>c. Public Hearing date:</b> March 15, 2023 <b>d. Comment Period:</b> February 28 - March 28, 2023 <b>e. Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023 <b>f. Adoption by agency on:</b> April 18, 2023 <b>g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023 <b>h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b>
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b>  <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:
<b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06Z .0107 is adopted under temporary procedures as follows:

2

3 **21 NCAC 06Z .0107 TRANSFERS**

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

6

7 *History Note: Authority G.S. 86B-65;*

8 *Temporary Adoption Eff. June 1, 2023.*



**TEMPORARY RULE-MAKING  
FINDINGS OF NEED**  
[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

<b>1. Rule-Making Agency:</b> North Carolina Board of Barber and Electrolysis Examiners
<b>2. Rule citation &amp; name:</b> 21 NCAC 06Z .0108 - PROGRAM COMPLETION
<b>3. Action:</b> <input checked="" type="checkbox"/> Adoption <input type="checkbox"/> Amendment <input type="checkbox"/> Repeal
<b>4. Was this an Emergency Rule:</b> <input type="checkbox"/> Yes <b>Effective date:</b> <input checked="" type="checkbox"/> No
<b>5. Provide dates for the following actions as applicable:</b> a. <b>Proposed Temporary Rule submitted to OAH:</b> February 28, 2023 b. <b>Proposed Temporary Rule published on the OAH website:</b> March 6, 2023 c. <b>Public Hearing date:</b> March 15, 2023 d. <b>Comment Period:</b> February 28 - March 28, 2023 e. <b>Notice pursuant to G.S. 150B-21.1(a3)(2):</b> March 6, 2023 f. <b>Adoption by agency on:</b> April 18, 2023 g. <b>Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:</b> June 1, 2023 h. <b>Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:</b>
<b>6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.</b>  <input type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input checked="" type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: S.L. 2022-72 Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> Other:  <b>Explain:</b> S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06Z .0108 is adopted under temporary procedures as follows:

2

3 **21 NCAC 06Z .0108 PROGRAM COMPLETION**

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

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

9 (c) The documentation required by this Rule shall be submitted to the Board at the address listed in 21 NCAC 06A  
10 .0102.

11

12 *History Note: Authority G.S. 86B-65;*

13 *Temporary Adoption Eff. June 1, 2023.*



# TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

**OAH USE ONLY**

VOLUME:

ISSUE:

**1. Rule-Making Agency:**

North Carolina Board of Barber and Electrolysis Examiners

**2. Rule citation & name:**

21 NCAC 06Z .0109 - POST-APPRENTICESHIP ELECTROLOGY LICENSE

**3. Action:**

Adoption

Amendment

Repeal

**4. Was this an Emergency Rule:**  Yes

No

Effective date:

**5. Provide dates for the following actions as applicable:**

a. Proposed Temporary Rule submitted to OAH: February 28, 2023

b. Proposed Temporary Rule published on the OAH website: March 6, 2023

c. Public Hearing date: March 15, 2023

d. Comment Period: February 28 - March 28, 2023

e. Notice pursuant to G.S. 150B-21.1(a3)(2): March 6, 2023

f. Adoption by agency on: April 18, 2023

g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]: June 1, 2023

h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:

**6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.**

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.  
Cite: S.L. 2022-72  
Effective date:
- A recent change in federal or state budgetary policy.  
Effective date of change:
- A recent federal regulation.  
Cite:  
Effective date:
- A recent court order.  
Cite order:
- Other:

**Explain:**

S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.



**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

Yes

Agency submitted request for consultation on:  
Consultation not required. Cite authority:

No

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06Z .0109 is adopted under temporary procedures as follows:

2

3 **21 NCAC 06Z .0109 POST-APPRENTICESHIP ELECTROLOGY LICENSE**

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

5 (1) submit the post-apprenticeship application as set forth in 21 NCAC 06U .0109 to the Board at the  
6 address listed in 21 NCAC 06A .0102; and

7 (2) make a score of at least 70 on the clinical examination.

8

9 *History Note: Authority G.S. 86B-65;*

10 *Temporary Adoption Eff. June 1, 2023.*



**TEMPORARY RULE-MAKING  
FINDINGS OF NEED**  
[Authority G.S. 150B-21.1]

**OAH USE ONLY**

**VOLUME:**

**ISSUE:**

**1. Rule-Making Agency:**

North Carolina Board of Barber and Electrolysis Examiners

**2. Rule citation & name:**

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

**3. Action:**

Adoption

Amendment

Repeal

**4. Was this an Emergency Rule:**

Yes

**Effective date:**

No

**5. Provide dates for the following actions as applicable:**

a. Proposed Temporary Rule submitted to OAH: February 28, 2023

b. Proposed Temporary Rule published on the OAH website: March 6, 2023

c. Public Hearing date: March 15, 2023

d. Comment Period: February 28 - March 28, 2023

e. Notice pursuant to G.S. 150B-21.1(a3)(2): March 6, 2023

f. Adoption by agency on: April 18, 2023

g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]: June 1, 2023

h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:

**6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.**

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.  
Cite: S.L. 2022-72  
Effective date:
- A recent change in federal or state budgetary policy.  
Effective date of change:
- A recent federal regulation.  
Cite:  
Effective date:
- A recent court order.  
Cite order:
- Other:

**Explain:**

S.L. 2022-72 created the new North Carolina Board of Barber and Electrolysis Examiners. It also established G.S. 86B-65, which requires the board to issue licenses to qualifying individuals who complete an electrology apprenticeship program.

**7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?**

S.L. 2022-72, as codified in G.S. 86B-65, established a new pathway to licensure and required the board to adopt rules to govern the program. Adherence to normal notice and hearing requirements would create a situation where the board had no rules for the electrology apprenticeship program.

**8. Rule establishes or increases a fee? (See G.S. 12-3.1)**

**Yes**  
Agency submitted request for consultation on:  
Consultation not required. Cite authority:

**No**

**9. Rule-making Coordinator:**

Dennis Seavers

**Phone:**

919-814-0641

**E-Mail:**

dennis.seavers@nc.gov

**Agency contact, if any:**

**Phone:**

**E-Mail:**

**10. Signature of Agency Head\*:**



**\* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

**Typed Name:**

Sherod Holloway

**Title:**

Chairman

**E-Mail:** sherodholloway@gmail.com

**RULES REVIEW COMMISSION USE ONLY**

Action taken:

Submitted for RRC Review:

Date returned to agency:

1 21 NCAC 06Z .0110 is proposed for adoption under temporary procedures as follows:

2  
3 **21 NCAC 06Z .0110 APPROVAL AS AN ELECTROLOGY APPRENTICESHIP PROGRAM**

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

5 (1) submit the application as set forth in 21 NCAC 06N .0110;

6 (2) pass a facility inspection that assesses whether the program complies with requirements set forth in  
7 Rule .0103 of this Section; and

8 (3) employ an instructor for an electrology apprenticeship program who is approved under Rule .0106  
9 of this Section.

10 (b) Within five business days of determining that an electrology apprenticeship program meets the requirements in  
11 Paragraph (a) of this Rule, the Board shall issue an approval to the program.

12 (c) No electrology apprenticeship program shall operate without first receiving the approval in Paragraph (b) of this  
13 Rule.

14 (d) If a business is not ready for the facility inspection on a scheduled date, the owner or instructor shall notify the  
15 Board at the address listed in 21 NCAC 06A .0102 at least one business day before the scheduled inspection. The  
16 business shall forfeit the inspection fee if it fails to provide timely notice to the Board.

17 (e) The Board shall terminate approval of an electrology apprenticeship program for the following reasons:

18 (1) the program no longer has an instructor;

19 (2) after receiving a written warning, the facility fails to comply with the requirements in Rule .0103  
20 of this Section;

21 (3) the Board determines that the program has falsified documents related to the program, and  
22 revocation of the instructor authorization as set forth in Rule .0106(d) of this Section will not  
23 prevent further falsification of documents; or

24 (4) the Board determines that the program has failed to provide the oversight required by Board  
25 statute and rule to students enrolled in the program, and revocation of the instructor authorization  
26 as set forth in Rule .0106(d) of this Section will not prevent further failures.

27  
28 *History Note: Authority G.S. 86B-65;*

29 *Temporary Adoption Eff. June 1, 2023.*