

Burgos, Alexander N

Subject: FW: [External] FW: Rules with Technical Changes NC Board of Cosmetic Art 21 NCAC 14A-14D

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Friday, March 6, 2026 10:15 AM
To: Kuzdrall, Stefanie S <skuzdrall@nccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>; Rules, Oah <oah.rules@oah.nc.gov>
Subject: RE: [External] FW: Rules with Technical Changes NC Board of Cosmetic Art 21 NCAC 14A-14D

Received. Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Sent: Friday, March 6, 2026 10:11 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] FW: Rules with Technical Changes NC Board of Cosmetic Art 21 NCAC 14A-14D

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I forgot to cc you both, I apologize.

Lynda Elliott, our executive director, is planning to attend the WebEx meeting.

Stefanie Kuzdrall, MPA
Business Director
NC Board of Cosmetic Art Examiners
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From: Stefanie Kuzdrall
Sent: Friday, March 6, 2026 10:07 AM
To: oah.rules@oah.nc.gov
Subject: Rules with Technical Changes NC Board of Cosmetic Art 21 NCAC 14A-14D

Stefanie Kuzdrall, MPA
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1 21 NCAC 14A .0101 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 CHAPTER 14 – BOARD OF COSMETIC ART EXAMINERS

4
5 SUBCHAPTER 14A – DEPARTMENTAL RULES

6
7 SECTION .0100 – ORGANIZATION RULES

8
9 21 NCAC 14A .0101 DEFINITIONS

10 In addition to the definitions set forth in G.S. 88B-2, the following definitions apply in this Chapter:

- 11 (1) "Beauty Establishment" refers to both cosmetic art schools and cosmetic art shops.
- 12 (2) "Clean" is the removal of visible and surface debris, **then** washing with soap and water, **using a**
13 detergent or chemical cleaner that prepares non-porous items for disinfection and reduces the
14 number and slows the growth of pathogens on both porous and non-porous surfaces. ~~Cleaning~~
15 ~~does not make multi-use items safe for use.~~
- 16 (3) "Cosmetology School" is any cosmetic art school that teaches cosmetic art as defined by G.S.
17 88B-2(5), but is not solely a manicurist or an esthetics school.
- 18 (4) "Cosmetology Student" is a student in any cosmetic art school whose study is the full curriculum.
- 19 (5) "Esthetician School" is any cosmetic art school that teaches only the cosmetic art of skin care.
- 20 (6) "Esthetician Student" is a student in any cosmetic art school whose study is limited to the
21 esthetician curriculum set forth in 21 NCAC 14T .0604.
- 22 (7) "Licensing cycle" shall be as follows:
- 23 (a) for cosmetologists, the licensing cycle is a three-year period beginning on the first day of
24 October and ending ~~on the third following~~ first day of October **of the third year in the**
25 **period** and continuing thereafter in three year intervals;
- 26 (b) for estheticians, natural hair care specialists and manicurists, the licensing cycle is one
27 year in length beginning on the first day of October and ending on the next first day of
28 October;
- 29 (c) for teachers, the licensing cycle is a two-year period beginning on the first day of October
30 of an even-numbered year and ending on the next first day of October of the next even-
31 numbered year.
- 32 (8) "Manicurist School" is a cosmetic art school that teaches only the cosmetic art of manicuring.
- 33 (9) "Manicurist Student" is a student in any cosmetic art school whose study is limited to the
34 manicurist curriculum set forth in 21 NCAC 14T .0605.
- 35 (10) "Natural hair care school" is a cosmetic art school that teaches only the cosmetic art of natural hair
36 care.

37 (11) "Natural hair care student" is a student in any cosmetic art school whose study is limited to the
38 natural hair care curriculum set forth in 21 NCAC 14T .0606.

39 (12) "Porous" is a material that has minute spaces or holes through which liquid or air may pass such as
40 paper, foam, and wood. Porous may also be called permeable, penetrable, or cellular.

41

42 *History Note: Authority G.S. 88B-2; 88B-4;*

43 *Eff. February 1, 1976;*

44 *Amended Eff. June 1, 1993; October 1, 1991; May 1, 1991; January 1, 1989;*

45 *Temporary Amendment Eff. January 1, 1999;*

46 *Amended Eff. October 1, 2012; July 1, 2010; December 1, 2008; May 1, 2005; December 1, 2004;*

47 *May 1, 2004; February 1, 2004; April 1, 2001; August 1, 2000;*

48 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

49 *13, 2015;*

50 *Amended Eff. April 1, 2023; March 1, 2022; September 1, 2018; March 1, 2018;*

51 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0104 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2

3 **21 NCAC 14A .0104 ADDRESS**

4 **(a)** The address for the ~~board~~ **Board** is 121 Edinburgh South Drive, Suite 209, Cary, ~~North Carolina~~ **NC** 27511.

5 **(b)** The Board website shall be located at www.nccosmeticarts.com.

6

7 *History Note: Authority G.S. ~~88-23~~; **88B-6**;*

8 *Eff. February 1, 1976;*

9 *Amended Eff. January 1, 2015; August 1, 1998; December 6, 1991; January 1, 1989; April 1,*
10 *1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Amended Eff. September 1, 2021;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0401 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2
3 **SECTION .0400 - LICENSE WAIVER FOR ARMED FORCES**

4
5 **21 NCAC 14A .0401 LICENSE WAIVER FOR ARMED FORCES**

6 (a) Licensees in good standing and serving in the ~~armed forces~~ **Armed Forces** of the United States ~~States,~~ or the
7 spouse of an individual in good standing and serving in the ~~armed forces~~ **Armed Forces** of the United States ~~States,~~
8 are allowed an extension on the license renewal payment and required continuing education hours as permitted G.S.
9 93B-15.

10 (b) Individuals holding current and valid licensure as determined by G.S. 93B-15.1 may apply for licensure with the
11 Board by providing a copy of the current and valid license along with a the license application, fees ~~fees,~~ and
12 documentation of military experience or training.

13
14 *History Note: Authority G.S. 93B-15; 93B-15.1;*

15 *Eff. June 1, 2010;*

16 *Amended Eff. August 1, 2014;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
18 *13, 2015;*

19 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0402 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14A .0402 **DUPLICATE LICENSES****

3 (a) A licensee may request a duplicate license by submitting **a** written application and a duplicate license fee to the
4 Board.

5 (b) All overpayments will be returned to the submitting applicant or licensee.

6

7 *History Note: Authority G.S. 88B-20;*

8 *Eff. October 1, 2012;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
10 *13, 2015;*

11 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0403 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14A .0403 ADDITIONAL SALON CHAIRS**

3 Salon owners may request **an** additional salon ~~chair~~ **booth** licensure by submitting written application **including**
4 **name, license number,** and additional ~~chair~~ **booth** fees to the Board.

5

6 *History Note: Authority G.S. **88B-14;** 88B-20;*

7 *Eff. October 1, 2012;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
9 *13, 2015;*

10 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0404 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2

3 **21 NCAC 14A .0404 FEES**

4

5 (a) Fees and civil penalties paid by personal checks that are returned for any reason shall be treated in the same
6 manner as though no fee had been tendered and the bank's returned check fee, not to exceed thirty-five dollars
7 (\$35.00), shall be assessed to the account holder. All subsequent payments must be submitted via credit card, money
8 order, or certified check.

9 (b) All moneys tendered in payment of fees shall be in the exact amount required for said fees. No part of a fee
10 submitted to the Board per G.S. 88B-20 shall be refundable.

11 (c) Licenses, certifications, duplicates, inactivations, or reactivations shall not be processed until all fees and
12 assessed civil penalties are paid in full.

13

14 *History Note: Authority G.S. 25-3-506; ~~88B-2~~; 88B-4; 88B-20*

15 *Eff. September 1, 2012;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Amended Eff. September 1, 2021;*

19 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0101 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **SUBCHAPTER 14B - RULE-MAKING PROCEDURES**

3

4 **SECTION .0100 - PETITIONS FOR RULE-MAKING**

5

6 **21 NCAC 14B .0101 PETITIONS**

7 Any person wishing to submit a petition requesting the adoption of a rule by the Board ~~must~~ **shall** address a petition
8 to the chairman of the Board at the Board's address ~~address~~ **address listed in 21 NCAC 14A .0104.**

9

10 *History Note: Authority G.S. ~~150B-16;~~ **150B-20; 88B-4;***

11 *Eff. February 1, 1976;*

12 *Amended Eff. January 1, 1989; April 1, 1988;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
14 *13, 2015;*

15 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0102 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14B .0102 CONTENTS OF PETITIONS**

3 The petition ~~must~~ **shall** contain the following information:

- 4 (1) a draft of the proposed rule or amendment,
- 5 (2) a summary of the contents of the proposed rule or amendment,
- 6 (3) reason for the proposal,
- 7 (4) effect of the new rule or amendment on existing rules,
- 8 (5) data supporting the rule proposal,
- 9 (6) effect of the proposed rule or amendment on existing practices in the area involved, including cost
- 10 factors, and
- 11 (7) name and address of each petitioner.

12

13 *History Note:* *Authority G.S. ~~150B-16~~; **150B-20**; **88B-4**;*

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989; April 1, 1988;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

17 *13, 2015;*

18 *Readopted Eff. April, 1, 2026.*

1 **21 NCAC 14B .0105 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14B .0105 GRANTING OR DENYING PETITIONS**

3 The Board ~~must~~ **shall** determine, based on a study of the facts stated in the petition, whether the public interest will
4 be better served by granting or denying the petition. The Board ~~must~~ **shall** consider ~~all~~ the contents of the submitted
5 petitions plus any additional information deemed relevant.

6
7 *History Note: Authority G.S. ~~150B-16;~~ **150B-20; 88B-4;***

8 *Eff. February 1, 1976;*

9 *Amended Eff. January 1, 1989; April 1, 1988;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0107 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14B .0107 FINAL DECISION**

3 Within 30 days of submission of the petition or at its next regularly scheduled meeting, whichever is later, the Board
4 will render a final decision. If the decision is to deny the petition, the chairman of the Board will notify the
5 petitioner in writing stating the reasons ~~therefor.~~ therefore. If the decision is to grant the petition, the Board will
6 initiate a rule-making proceeding.

7

8 *History Note: Authority G.S. ~~150B-16;~~ 150B-20; 88B-4;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readoption Eff. April 1, 2026.*

1 **21 NCAC 14B .0201 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **SECTION .0200 - NOTICE**

4
5 **21 NCAC 14B .0201 NOTICE TO PUBLIC**

6 Upon a determination to hold rule-making proceedings, either in response to a petition or otherwise, the Board will
7 give 30 **days notice of rule-making intent** by publication in the North Carolina Register.

8
9 *History Note: Authority G.S. ~~150B-12; 150B-16;~~ **150B-21.2; 88B-4;***

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989; April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

15

1 21 NCAC 14B .0302 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3
4 21 NCAC 14B .0302 PROCEDURE FOR MAKING ORAL PRESENTATION AT HEARING

5 (a) A person desiring to make an oral presentation on a proposed rule or amendment to a rule at a rule-making
6 hearing ~~must file~~ shall submit a request to make a presentation with the chairman of the Board, at the Board's
7 address, at least 15 days before the hearing. The presiding officer at the hearing may, however, waive or
8 excuse a person's failure to give this notice for good ~~reason-~~ cause.

9 (b) A request to make an oral presentation ~~must~~ shall contain a brief summary of the subject on which the
10 individual desires to speak and an estimation of the length of time needed. An oral presentation ~~may~~ shall not
11 exceed ~~five~~ 5 minutes unless the presiding officer, either before or at the hearing, grants an extension of time
12 for good ~~reason-~~ cause.

13 (c) A person who makes an oral presentation at a rule-making hearing ~~is encouraged to~~ may submit a written
14 copy of the presentation to the Board either before or at the hearing.

15
16 *History Note: Authority G.S. ~~150B-11(1); 150B-12;~~ 150B-21.2; 88B-4;*
17 *Eff. February 1, 1976;*
18 *Amended Eff. January 1, 1989; April 1, 1988;*
19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
20 *13, 2015;*
21 *Readoption Eff. April 1, 2026.*

1 21 NCAC 14B .0304 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3
4 21 NCAC 14B .0304 ACKNOWLEDGEMENT OF A REQUEST TO MAKE AN ORAL
5 PRESENTATION

6 Upon receipt of a request to make an oral presentation at a rule-making hearing, the chairman **of the Board**
7 ~~must~~ **shall** acknowledge receipt of the request and inform the person requesting time for an oral presentation of
8 ~~the imposition of any limitations deemed necessary to the end of~~ **conduct** a full and effective public hearing on
9 the proposed rule or amendment.

10

11 *History Note: Authority G.S. ~~150B-11(1); 150B-21.2; 88B-4;~~*

12 *Eff. February 1, 1976;*

13 *Amended Eff. January 1, 1989;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
15 *13, 2015;*

16 *Readoption Eff. April 1, 2026.*

1 **21 NCAC 14B .0305 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0305 WRITTEN STATEMENT**

4 (a) Any person may file a written statement containing data, comments, or arguments in support of or in
5 opposition to a proposed rule or rule change. Such statements may be filed before, during, or ~~for five~~ **up to 5**
6 days after the hearing by delivering the statement by mail or in person to the chairman of the Board, at the
7 Board's mailing address.

8 (b) An extension of time for filing written statements may be granted either in the notice of the particular
9 rule-making hearing or by the presiding officer of the hearing.

10 (c) All such submitted statements ~~should~~ **shall** clearly state the rule or proposed rule to which the comments
11 are addressed.

12

13 *History Note: Authority G.S. ~~150B-11(1); 150B-12;~~ **150B-21.2; 88B-4;***

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989; April 1, 1988;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0306 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14B .0306 ACKNOWLEDGEMENT

4 Acknowledgement of all written comments received by the Board will be issued by the Chairman of the ~~North~~
5 ~~Carolina State Board of Cosmetic Art Examiners.~~ Board during the Board's meeting in which the rule is
6 reviewed prior to voting for submission to RRC.

7

8 *History Note:* Authority G.S. ~~150B-11(1);~~ 150B-21.2; 88B-4;

9 *Eff. February 1, 1976;*

10 *Amended Eff. April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0307 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0307 CONTROL OF HEARINGS**

4 (a) ~~Purpose.~~ The purpose of this Rule is to provide uniform procedures for the conduct of public comment
5 hearings.

6 (b) The presiding officer at the hearings shall have control of the proceedings including the following:

- 7 (1) extension of any time requirements,
- 8 (2) recognition of speakers,
- 9 (3) time allotment for presentations, and
- 10 (4) direction of the flow of discussion and the management of the hearing.

11 (c) The presiding officer ~~at all times~~ shall ~~take care~~ **ensure** that each person participating in the hearing is given an
12 opportunity to present views, ~~data~~ **data**, and comments.

13 (d) Public comment hearings shall be open to the public, and members of the public shall be entitled to testify,
14 subject to the provisions of this Rule.

15 (e) Public comment ~~hearing~~ **hearings** shall be open to print and electronic media, ~~subject to the following limitations~~
16 by the ~~board~~, **Board**, or the person designated by the ~~board~~ **Board** to preside over the hearing, when such pooling are
17 necessary **due to room occupancy restrictions** to allow the hearing to go ~~forward~~: **forward subject to the following**
18 **limitations:**

- 19 (1) Pooling of the number of media representatives when their number and ~~equipment~~ **equipment**,
20 together with the number of members of the public ~~present~~ **present**, exceeds the capacity of the
21 hearing room;
- 22 (2) Limitation on the placement of cameras to specific locations within the hearing room; or
- 23 (3) Prohibition of interviews conducted within the hearing room during the hearing.

24 (f) Public comment hearings shall be presided over by the ~~board~~ **Board** or an individual knowledgeable in the
25 subject area of the proposed rules who has been designated by the chairman to preside over the hearing.

26 (g) The person presiding over the hearing shall:

- 27 (1) Call the hearing to order;
- 28 (2) Identify the proposed rules which are the subject matter of the hearing, and provide copies of them
29 upon request;
- 30 (3) Cause a recording of the hearing to be made;
- 31 (4) Establish speaker time limits;
- 32 (5) Recognize those who wish to be heard;
- 33 (6) If necessary, refuse to recognize people for speaking, or revoke recognition of speakers;
- 34 (7) If necessary, limit the activity of the media;
- 35 (8) If necessary, continue or move the hearing; and
- 36 (9) Adjourn or continue the hearing.

37 (h) The hearing shall be continued when:

- 38 (1) The weather is so inclement that ~~it is reasonable to conclude that people wishing to attend the~~ **the**
39 **chairman or the individual designated by the chairman to preside over the hearing** ~~are~~ **is** unable to
40 do so;
- 41 (2) The chairman or the individual designated by the chairman to preside over the hearing is ill or
42 unavoidably absent; or
- 43 (3) Continuing the hearing will facilitate greater participation by the public.
- 44 (i) The hearing may be moved to another location when the original location is not able to accommodate the
45 number of people who wish to attend the hearing.
- 46 (j) The hearing shall be continued past the scheduled time or to another date when:
- 47 (1) The time available is not sufficient to give each person who wishes to speak a reasonable
48 opportunity to do so; or
- 49 (2) The capacity of the room in which the hearing is to be held does not accommodate the number of
50 people who wish to attend the hearing and it is not possible to move the hearing to another
51 location.
- 52 (k) People who wish to speak about the rules which are the subject matter of the hearing shall be asked to write on
53 the speaker's list their full names and if they represent other persons, the identity of the persons represented.
- 54 (l) People who wish to speak shall be asked to provide the information called for by Paragraph (k) of this Rule no
55 later than before the last speaker on the list has finished speaking.
- 56 (m) People whose names appear on the speaker's list shall be afforded an opportunity to speak at the hearing within
57 the limits on public participation.
- 58 (n) Written comments must be submitted by the deadline listed in the rule making notice.
- 59 (o) The person presiding over the hearing shall:
- 60 (1) Refuse to recognize for speaking or revoke the recognition of any person who:
- 61 (A) Speaks or acts in an abusive or disruptive manner; or
- 62 (B) Refuses to keep comments relevant to the proposed rules which are the subject matter of
63 the hearing;
- 64 (2) Limit the duration of the hearing and limit the amount of time each speaker may speak to a time
65 which allocates approximately equal speaking time to each person shown on the speaker's list as
66 wishing to speak; and
- 67 (3) Limit presentations on behalf of the same organization or entity to no more than three, provided
68 that all those representing such organization or entity may enter their names and addresses into the
69 record as supporting the position of the organization or entity.

70

71 *History Note: Authority G.S. 88B-4; 143-318.4; 150B-21.2;*

72 *Eff. February 1, 1976;*

73 *Amended Eff. April 1, 2012;*

74

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;

75

76

Readopted Eff. April 1, 2026.

1 **21 NCAC 14B .0308 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0308 REQUEST FOR STATEMENT ON ADOPTED RULE**

4 Any person or agency desiring a concise statement of the principal reasons for and against the adoption of a
5 rule by the Board and the factors that led to sustaining or overruling the considerations urged for or against its
6 adoption may submit a request in writing to the chairman of the Board at the Board's address. Such requests
7 may be submitted either prior to the rule-making hearing or within 30 days thereafter.

8

9 *History Note: Authority G.S. ~~150B-11(1); 150B-12(e); 150B-21.2; 88B-4;~~*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989; April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0309 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0309 RECORDS**

4 (a) A record of all rule-making proceedings will be maintained as long as the rule is in effect and for five
5 years thereafter. This record will contain the following:

- 6 (1) the original petition, if any;
- 7 (2) the ~~notice;~~ **notice of text;**
- 8 (3) all written memoranda and information ~~submitted;~~ **submitted by the rule-making coordinator;**
- 9 (4) a record or summary of oral presentations, if any; and
- 10 (5) any statement of reasons for and against adoption of a rule issued by the Board.

11 (b) The record will be maintained in a **paper or an electronic** file at the Board's address.

12

13 *History Note: Authority G.S. ~~150B-11(4);~~ **150B-21.2(i); 88B-4;***

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989; April 1, 1988;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0501 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **SECTION .0500 - DECLARATORY RULINGS**

4
5 **21 NCAC 14B .0501 REQUEST FOR DECLARATORY RULING**

6 Any person ~~substantially~~ affected by a statute administered or rule promulgated by the Board may request a
7 declaratory ruling as to how the statute or rule applies to a given factual situation or whether a particular ~~board~~
8 **Board** rule is valid. All requests for declaratory rulings must be in writing and mailed to the chairman of the
9 Board at the Board's address.

10

11 *History Note: Authority G.S. ~~150B-17~~; **150B-4**;*

12 *Eff. February 1, 1976;*

13 *Amended Eff. January 1, 1989; April 1, 1988;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
15 *13, 2015;*

16 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0502 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14B .0502 CONTENTS OF REQUEST

4 All requests for a declaratory ruling ~~must~~ shall include the following information:

- 5 (1) name and address of petitioner;
- 6 (2) statute or rule to which the petition relates;
- 7 (3) concise statement of the manner in which the petitioner is aggrieved, or thinks that he ~~or she~~
8 ~~may be~~ is aggrieved by the rule or statute ~~statute~~, and its application to ~~him~~; ~~him or her~~; and
- 9 (4) statement of whether an oral hearing is ~~desired and~~ being requested and, if ~~so~~ so, the reasons
10 ~~therefor~~. ~~therefore~~.

11

12 *History Note: Authority G.S. 150B-17; 150B-4;*

13 *Eff. February 1, 1976;*

14 *Amended Eff. January 1, 1989;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
16 *13, 2015;*

17 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0503 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0503 REFUSAL TO ISSUE DECLARATORY RULING**

4 Whenever the Board ~~believes~~ believes, ~~for good reason~~ just cause as listed in 21 NCAC 14B .0506, that the
5 issuance of a declaratory ruling is inappropriate, it may refuse to do so. When ~~good reason~~ just cause is
6 deemed to exist, ~~the~~ the Board will notify the petitioner of its decision in writing stating the reasons for the
7 denial of a declaratory ruling.

8

9 *History Note: Authority G.S. ~~150B-17;~~ 150B-4;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989; April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0505 AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS FOLLOWS:**

2 **21 NCAC 14B .0505 PROCEDURE**

3 A declaratory ruling procedure ~~may~~ **shall** consist of written ~~statements,~~ **statements and** oral ~~hearings and~~
4 **hearings.** ~~or such other procedures as may be appropriate in a particular case.~~

5

6 *History Note: Authority G.S. ~~88-23; 150B-17;~~ **150B-4;***

7 *Eff. February 1, 1976;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
9 *13, 2015;*

10 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0506 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14B .0506 CIRCUMSTANCES

4 The Board may refuse to issue a declaratory ruling on the validity of a rule ~~if~~ for just cause for any of the
5 following reasons:

- 6 (1) ~~When the~~ The Board has already made a ~~controlling decision~~ declaratory ruling on
7 substantially similar facts in a contested case; or
8 (2) ~~When the~~ The facts underlying the request for a ruling were specifically considered at the
9 time of the adoption of the rule in question; ~~and~~ or
10 (3) ~~When the~~ The subject matter of the request is involved in pending litigation in North
11 Carolina.

12
13 *History Note: Authority G.S. ~~150B-17;~~ 150B-4;*
14 *Eff. February 1, 1976;*
15 *Amended Eff. January 1, 1989;*
16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*
18 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0601 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **SECTION .0600 - FEES**

4
5 **21 NCAC 14B .0601 COPYING CHARGES**

6 The Board may charge a ~~small fee~~ **fee of fifteen dollars (\$15.00)** for providing copies of its rules, Chapter 88 of the
7 North Carolina General Statutes, and other public documents in its possession.

8
9 *History Note: Authority G.S. 12-3.1; ~~150B-11(1)~~; **150B-19(5)**;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0603 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0603 POSTAGE AND HANDLING**

4 There will be a five dollar (\$5.00) charge for postage and handling for all mailings.

5

6 *History Note:* Authority G.S. 12-3.1; ~~150B-11(1)~~; **150B-19(5); 88B-4;**

7 *Eff. December 1, 1990;*

8 *Temporary Amendment Eff. December 1, 2001;*

9 *Amended Eff. August 1, 2002;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0605 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0605 COSMETOLOGIST LICENSE FEE AND STAGGERED LICENSE RENEWAL**
4 **SCHEDULE**

5 (a) All cosmetology licenses expiring on and after October 1, 2013 shall pay the renewal fee of thirty-nine dollars
6 (~~\$39.00~~), **(\$39.00) as required by G.S. 88B-20** and complete 24 hours of continuing education as required by G.S.
7 88B-21 to be eligible for license renewal.

8 (b) Upon renewal of ~~the a~~ license expiring October 1, ~~2010~~ **2010**, the Board shall issue a new license with staggered
9 expiration dates. Licensees shall be divided into renewal groups by first digit of license number and shall pay
10 prorated fees for renewal as follows:

11

License Number (first digit in number)	Staggered Expiration Date	Fees/CE Hours Due
3, 4 or 5	October 1, 2011	\$13/0 hours
6 or 7	October 1, 2012	\$26/12 hours
0, 1, 2, 8 or 9	October 1, 2013	\$39/24 hours

12

13 *History Note: Authority G.S. 88B-20; 88B-21;*

14 *Eff. August 1, 1998;*

15 *Amended Eff. August 1, 2010;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0608 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14B .0608 COMPLAINTS

4
5 (a) ~~Any person may file a~~ **The Board shall accept any** complaint alleging violation of the Cosmetic Art Act or this
6 Chapter ~~with the Board~~ for investigation and disciplinary action per G.S. 88B-24.

7 (b) The complaint shall be filed in writing with the Board. Complaints will be accepted ~~by fax, mail, email,~~ through
8 the Board's online complaint form **portal** at ~~www.nccosmeticarts.com or delivered in office.~~

9 **www.nccosmeticarts.com**. Upon receipt of a complaint, Board staff shall review the content for jurisdiction and
10 when finding authority under G.S. 88B ~~or this Chapter~~ assign the complaint for investigation. Complaints received
11 alleging violation outside the jurisdictional authority of the Board shall be forwarded to the appropriate agency and
12 the complainant notified, if contact information is provided by the complainant.

13 (c) The Board shall notify the complainant and the respondent in any complaint filed with the Board of the
14 disposition of the case.

15 *History Note: Authority G.S. 88B-4;*
16 *Eff. December 1, 2016*
17 *Readopted Eff. April 1,*
18 *2026;*

1 **21 NCAC 14C .0101 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **SUBCHAPTER 14C - CONTESTED CASES**

4
5 **SECTION .0100 - GENERAL RULES**

6
7 **21 NCAC 14C .0101 ADMINISTRATIVE HEARINGS**

8 Whenever the Board proposes to deny, revoke, or suspend a license, permit, certificate of registration, or letter of
9 approval issued by it, or at any other time when it deems a hearing legally required, it ~~must~~ **shall** give notice to the
10 person affected of the Board's proposed action and the person's right to a hearing. The person may request a hearing
11 by mailing or delivering to the Board a written request for a hearing. The Board will take the proposed action
12 described in the notice unless it receives a request for a hearing prior to the date on which the Board proposes to act
13 or the date specified in the notice. A request mailed to the Board is deemed timely if postmarked prior to the date on
14 which the Board proposes to act or the date specified in the notice.

15
16 *History Note: Authority G.S. 150B-38(h); 150B-40;*

17 *Eff. February 1, 1976;*

18 *Amended Eff. January 1, 1989; April 1, 1988;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
20 *13, 2015;*

21 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0103 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0103 PRESIDING OFFICER**

4 If no other presiding officer has been designated by the Board, or if the designated presiding officer is unavailable or
5 disqualifies ~~himself,~~ themselves, the chairman of the Board shall act as presiding officer for purposes of issuing
6 subpoenas, ordering the production of records, responding to motions for continuances or extensions of time,
7 controlling and ruling on issues surrounding discovery, and otherwise acting on matters arising in connection with a
8 pending hearing and shall have all powers granted to the presiding officer under ~~Article 3A of Chapter 150B of the~~
9 ~~North Carolina General Statutes.~~ G.S. 150B-40.

10

11 *History Note: Authority G.S. 150B-38(h); 150B-40(b);*

12 *Eff. April 1, 1988;*

13 *Amended Eff. January 1, 1989;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
15 *13, 2015;*

16 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14C .0201 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 SECTION .0200 - REQUEST FOR A HEARING
4

5 21 NCAC 14C .0201 REQUEST

6 When any person believes his their rights, ~~duties~~ duties, or privileges have been affected by administrative action of
7 the Board, ~~he~~ they may request an administrative hearing.
8

9 *History Note:* Authority G.S. ~~150B-2~~; 150B-22(b); 150B-38(h);

10 *Eff. February 1, 1976;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0203 IS READOPTED AS PUBLISHED IN 40:06 NCR 56 7WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0203 WRITTEN REQUEST**

4 ~~Following such an informal contact with the Board as set out in 21 NCAC 14C .0202, if still dissatisfied, one~~ **Any**
5 **person** may file a written request for an administrative hearing with the chairman of the Board at its address.

6
7 *History Note: Authority G.S. 150B-38; **93B-1(2); 88B-4;***

8 *Eff. February 1, 1976;*

9 *Amended Eff. January 1, 1989;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0204 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0204 CONTENTS OF REQUEST**

4 A written request for an administrative hearing ~~must~~ **shall** contain the following information:

- 5 (1) name and address of petitioner,
- 6 (2) a concise statement of the Board action being challenged,
- 7 (3) a concise statement of the way in which the petitioner has been aggrieved, and
- 8 (4) a clear and specific demand for a hearing.

9
10 *History Note: Authority G.S. 150B-38; **88B-4**;*

11 *Eff. February 1, 1976;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0205 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0205 ACKNOWLEDGEMENT**

4 Requests for administrative hearings must be promptly acknowledged **in writing** by the Board **within 30 days**
5 and, if the person making the request is a person aggrieved, a hearing must be scheduled within a reasonable
6 amount of time.

7

8 *History Note: Authority G.S. 150B-38; **88B-4;***

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0503 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS FOLLOWS:**

2 **21 NCAC 14C .0503 ADDITIONAL INFORMATION ON NOTICES OF HEARINGS**

3 In addition to the items specified in ~~North Carolina General Statutes~~ **G.S.** 150B-38(b) to be included in the
4 notice, notices of administrative hearings ~~must~~ **shall** include the following information:

- 5 (1) the name, position, address and phone number of a member, employee, or agent of the Board
6 to contact for further information or discussion;
- 7 (2) the date and place for any prehearing conference;
- 8 (3) the right to file a written response to the allegations in the notice of hearing no later than ten
9 days prior to the scheduled hearing date; and
- 10 (4) other information deemed relevant to informing the party or parties as to the procedure for the
11 hearing.

12 *History Note:* *Authority G.S. 150B-38; **88B-4;***
13 *Eff. February 1, 1976;*
14 *Amended Eff. January 1, 1989; September 1, 1988;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
16 *13, 2015;*
17 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0601 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3
4 **SECTION .0600 - WHO SHALL HEAR CONTESTED CASES**

5 **21 NCAC 14C .0601 HEARING PANEL**

6 Administrative hearings before the Board will ~~normally~~ be heard by a majority of the Board.

7 *History Note: Authority G.S. 150B-38; 150B-40;*
8 *Eff. February 1, 1976;*
9 *Amended Eff. January 1, 1989; April 1, 1988;*
10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*
12 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14C .0801 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3
4 SECTION .0800 - INTERVENTION

5
6 21 NCAC 14C .0801 INTERVENTION OF RIGHT

7 A motion to intervene of right as provided for in the North Carolina Rules of Civil Procedure, G.S. 1A-1 Rule
8 24, ~~must~~ shall be granted if timely and the petitioner meets the criteria of ~~that rule.~~ Rule 24. For the purposes
9 of intervention, Moving to intervene any time prior to the designated hearing's termination must be considered
10 timely unless a grant of the right to intervene would cause substantial prejudice to the rights of a party,
11 substantial added expense, or compellingly serious inconvenience to the parties.

12
13 *History Note:* Authority G.S. ~~150B-38;~~ 150B-38(f);

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*

17 *January 13, 2015;*

18 *Readopted Eff. April 1, 2026.*
19
20

1 **21 NCAC 14C .0802 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3

4 **21 NCAC 14C .0802 PERMISSIVE INTERVENTION**

5 A motion to intervene permissively as provided for in ~~North Carolina Rules of Civil Procedure, G.S. 1A-1~~
6 Rule 24, ~~must~~ **shall** be granted if the petitioner meets the criteria of ~~that rule~~ **Rule 24** and the Board determines
7 that:

- 8 (1) There is sufficient legal or factual similarity between the petitioner's rights, privileges, or
9 duties and those of the other parties to the hearing; and
10 (2) Permitting intervention by the petitioner as a party would aid the purposes of the hearing.

11

12 *History Note: Authority G.S. ~~150B-38~~; **150B-38(f)**;*
13 *Eff. February 1, 1976;*
14 *Amended Eff. January 1, 1989;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*
16 *January 13, 2015;*
17 *Readopted Eff. April 1, 2026.*

18

19

1 **21 NCAC 14C .0803 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3

4 **21 NCAC 14C .0803 DISCRETIONARY INTERVENTION**

5 Discretionary intervention ~~must~~ **shall** be allowed by the Board upon a motion made before the termination of
6 the hearing itself when the Board finds intervention would be helpful to a determination of the issues in the
7 hearing.

8

9 *History Note: Authority G.S. ~~150B-38~~; **150B-38(f)**;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*

13 *January 13, 2015;*

14 *Readopted Eff. April 1, 2026.*

15

16

1 21 NCAC 14C .0804 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3

4 21 NCAC 14C .0804 ~~ADVISABILITY~~ INTERVENTION

5 Discretionary intervention will be ~~deemed advisable~~ allowed when:

6 (1) The information the petitioner desires to present is relevant and not repetitious or merely
7 cumulative; and

8 (2) The petitioner would lend added impact facts to arguments of the parties.

9

10 *History Note: Authority G.S. ~~150B-38~~; 150B-38(f);*
11 *Eff. February 1, 1976;*
12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*
13 *January 13, 2015;*
14 *Readopted Eff. April 1, 2026.*

15

1 **21 NCAC 14C .0805 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3

4 **21 NCAC 14C .0805 WRITTEN MOTION**

5 A person desiring to intervene in a contested case ~~must~~ **shall** file a written motion with the chairman of the
6 Board at the Board's address.

7

8 *History Note: Authority G.S. ~~150B-38~~; **150B-38(f)***

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*

12 *January 13, 2015;*

13 *Readopted Eff. April 1, 2026.*

14

1 **21 NCAC 14C .0807 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0807 ALLOWANCE**

4 If the Board decides to allow intervention, notification of that decision will be issued promptly in writing
5 within 30 days to all parties including the movant. In cases of discretionary ~~intervention~~ intervention, such
6 notification ~~will~~ must include a statement of the limitations, if any, of time, subject matter, ~~evidence~~ evidence,
7 or any other matters deemed necessary by the Board which are imposed upon the intervenor.

8

9 *History Note: Authority G.S. ~~150B-38~~; 150B-38(f)*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0808 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0808 DENIAL**

4 If the Board decides to deny intervention, the movant ~~must~~ **shall** be notified ~~promptly in writing,~~ **in writing**
5 **within 30 days.** The notification must state the reasons for the decision and must be issued to the movant and
6 to all parties.

7

8 *History Note: Authority G.S. ~~150B-28;~~ **150B-38;***

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0903 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0903 BIAS OF BOARD MEMBER**

4 If for any reason a board member determines that personal bias or other factors would keep that member from
5 being able to hear a contested case and perform all duties concerning the hearing in an impartial manner, that
6 member shall submit in writing to the Board his or her disqualifications and the reasons ~~therefor~~ **therefore**.

7

8 *History Note: Authority G.S. 150B-38(h); 150B-40;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0904 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0904 BIAS CLAIMED BY PARTY**

4 If ~~for any reason~~ any party in a contested case believes that a board member is personally biased or otherwise
5 unable to conduct the hearing and perform all duties in an impartial manner, the party may file with the Board
6 a sworn notarized affidavit stating the reasons for such belief and all relevant facts.

7

8 *History Note: Authority G.S. ~~150B-38(8)~~; **150B-38(h)**; 150B-40;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0906 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0906 FILING AFFIDAVIT**

4 An affidavit of disqualification will **to disqualify a board member shall** be considered timely if **it was** filed at
5 least ten days prior to the scheduled hearing date. Any other affidavit may be found timely provided it is filed
6 at the first opportunity after the party becomes aware of **the** facts which give rise to a reasonable belief that any
7 board member may be disqualified.

8

9 *History Note: Authority G.S. 150B-38(h); 150B-40;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14C .0907 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14C .0907 DISQUALIFICATION

4 The remainder of the members of the ~~board~~ Board shall decide whether to disqualify the ~~person~~ board member
5 being challenged by the following procedural rules:

6 (1) The ~~person~~ board member whose disqualification is to be determined will not participate in
7 the decision but may be called upon to furnish information to the remaining members of the
8 Board conducting the hearing.

9 (2) The Board shall appoint a member of the ~~Board~~ Board, ~~or the executive secretary director,~~ or
10 any other appropriate person to investigate the allegations of the affidavit, if ~~necessary~~
11 necessary, and report his or her findings or recommendations.

12 (3) The Board shall decide by majority vote, or Board Chair in case of a tie vote, whether to
13 disqualify the challenged individual on the basis of all relevant and appropriate information
14 available to it.

15

16 *History Note: Authority G.S. 150B-38(h); 150B-40;*

17 *Eff. February 1, 1976;*

18 *Amended Eff. January 1, 1989; April 1, 1988;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
20 *13, 2015;*

21 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0908 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0908 NEW HEARING**

4 When a board member is disqualified after ~~the~~ a hearing has begun, a new hearing ~~must~~ shall be initiated upon
5 ~~request.~~ request if any party would be prejudiced by the denial of the request.

6
7

8 *History Note: Authority G.S. 150B-38(h); 150B-40;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14D .0101 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 SUBCHAPTER 14D - CONDUCT OF THE CONTESTED CASE

4

5 SECTION .0100 - FAILURE TO APPEAR

6

7 21 NCAC 14D .0101 PROCEEDING WITHOUT PARTY

8 Should a party who has been served with notice fail to appear at a scheduled hearing without having previously been
9 granted a continuance, the Board may either proceed with the hearing in the party's absence, **or** continue the ~~hearing,~~
10 ~~or dismiss the proceeding.~~ **hearing.**

11

12 *History Note: Authority G.S. 150B-38(c); 150B-38(h); 150B-40;*

13 *Eff. February 1, 1976;*

14 *Amended Eff. January 1, 1989; April 1, 1988;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
16 *13, 2015;*

17 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14D .0103 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14D .0103 CONTINUANCES

4 A continuance will ~~will~~ **shall** be granted to ~~a party~~ **all parties** only ~~in compelling circumstances.~~ **upon showing of good**
5 **cause.** ~~Usually only one such postponement will be allowed.~~ **In determining whether to grant such motions, the**
6 **Board shall consider the Guidelines for Resolving Scheduling Conflicts adopted by the State-Federal Judicial**
7 **Council of North Carolina accessible at [https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-](https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-guidelines.pdf?sfvrsn=d9baf07_0)**
8 **[guidelines.pdf?sfvrsn=d9baf07_0](https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-guidelines.pdf?sfvrsn=d9baf07_0).** **Motions for a continuance must be in writing and received in the office of the**
9 **Board no less than 14 calendar days before the hearing date. A motion for a continuance filed less than 14 calendar**
10 **days from the date of the hearing shall be denied unless the reason for the motion could not have been ascertained**
11 **earlier. Motions for continuance shall be ruled on by the Board chair or designated presiding officer.**

12

13 *History Note: Authority G.S. 150B-38(h); 150B-40;*

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989; April 1, 1988;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0104 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0104 PETITION TO REOPEN**

4 (a) If a hearing is conducted and if a decision is reached in the absence of a party, the party may petition the Board
5 ~~for a reopening of~~ **to reopen** the case. Petitions will not be granted except when the petitioners show that the reason
6 for failure to appear was ~~justifiable and~~ unavoidable and that fairness and justice require ~~a reopening of~~ the case.

7 (b) All petitions ~~for reopening of~~ **to reopen** the case shall be in writing and addressed to the chairman of the Board
8 at ~~it's~~ **their** address, and shall contain the following information:

- 9 (1) the name and address of the petitioner,
10 (2) a full identification of the hearing which the petitioner is seeking to reopen, and
11 (3) a detailed explanation of the reasons for the petitioner's desire to reopen the hearing.

12
13 *History Note: Authority G.S. 150B-38;*
14 *Eff. February 1, 1976;*
15 *Amended Eff. January 1, 1989; April 1, 1988;*
16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*
18 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14D .0105 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14D .0105 CRITERIA FOR REOPENING A CASE

4 The Board shall make a decision on whether to reopen the petitioner's case based upon the merits of the petition or
5 other pertinent information in the Board's possession. In determining whether to grant such motions, the Board shall
6 consider the Guidelines for Resolving Scheduling Conflicts adopted by the State-Federal Judicial Council of North
7 Carolina accessible at [https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-](https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-guidelines.pdf?sfvrsn=d9baf07_0)
8 guidelines.pdf?sfvrsn=d9baf07_0. Motions to reopen must be in writing and received in the office of the Board no
9 less than 14 calendar days before the hearing date. A motion to reopen filed less than 14 calendar days from the date
10 of the hearing shall be denied unless the reason for the motion could not have been ascertained earlier. Motions for
11 continuance shall be ruled on by the Board chair or designated presiding officer. A copy of the decision will be sent
12 to the petitioner and made a part of the permanent record of the contested case.

13

14 *History Note: Authority G.S. 150B-38;*
15 *Eff. February 1, 1976;*
16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*
18 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0302 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0302 ISSUANCE**

4 Subpoenas requiring the attendance of witnesses or ~~those~~ to produce documents, evidence or things must be issued
5 by the chairman of the Board or his **their** agent within three business days of the receipt of a request from a party to
6 a contested case.

7

8 *History Note: Authority G.S. 150B-38(h); 150B-39;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; August 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0303 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0303 SERVICE OF SUBPOENAS**

4 (a) Subpoenas ~~may~~ shall be served in any manner provided by law. **G.S.1A-1, Rule 45.**

5 (b) Subpoenas shall be issued in duplicate with a "Return of Service" form attached to each copy. The person
6 serving the subpoena shall fill out the "Return of Service" form for each copy and ~~promptly~~ **upon service** return one
7 copy of the subpoena with the attached "Return of Service" form completed to the Board.

8

9 *History Note: Authority G.S. 150B-27;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989; April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

13 *13, 2015*

14 *Readopted April 1, 2026.*

1 **21 NCAC 14D .0305 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0305 OBJECTIONS**

4 Any person receiving a subpoena may object ~~thereto~~ by filing a written objection with the Board.

5

6 *History Note: Authority G.S. 150B-38(h); ~~150B-39~~; **150B-39(c)***

7 *Eff. February 1, 1976;*

8 *Amended Eff. January 1, 1989; April 1, 1988;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
10 *13, 2015;*

11 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0306 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0306 STATEMENT OF REASONS**

4 An objection to a subpoena ~~must~~ **shall** include a ~~concise but~~ complete statement of reasons why the subpoena
5 should be ~~revoked or modified.~~ **quashed.** These reasons may include lack of relevancy of the evidence
6 requested, lack of particularity in the description of the evidence sought, or any other **legal** reason ~~sufficient in~~
7 **law for holding** **declaring** the subpoena invalid, such as that the evidence is privileged or that appearance or
8 production would be so disruptive as to be unreasonable in light of the significance of the evidence sought or
9 would produce some other undue ~~hardship.~~ **hardship to the party.**

10
11 *History Note:* *Authority G.S. 150B-38(h); ~~150B-39;~~ **150B-39(c);***
12 *Eff. February 1, 1976;*
13 *Amended Eff. January 1, 1989;*
14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*
15 *January 13, 2015;*
16 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0307 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0307 SERVICE OF OBJECTIONS**

4 Any objections to a subpoena filed with the Board ~~must~~ **shall** be simultaneously served on the party requesting the
5 subpoena.

6
7 *History Note: Authority G.S. 150B-38(h); ~~150B-39~~; **150B-39(c)**;*

8 *Eff. February 1, 1976;*

9 *Amended Eff. January 1, 1989;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0308 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0308 RESPONSES TO OBJECTIONS**

4 The party requesting the subpoena, within 10 ~~days~~, **days of service of the subpoena** may file a written response to
5 the objection. The response shall be served in like manner as the objection.

6

7 *History Note: Authority G.S. 150B-38(h); ~~150B-39~~; 150B-39(c);*

8 *Eff. February 1, 1976;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
10 *13, 2015;*

11 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0309 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0309 HEARINGS ON SUBPOENA CHALLENGES**

4 After receipt of the objection and a response thereto, if any, the hearing board panel or the presiding officer shall
5 issue a notice of hearing to the party who requested the subpoena and the party challenging ~~it~~ it and may notify all
6 other parties of a hearing before the Board to be scheduled within ~~a reasonable time~~ 1 year at which hearing
7 evidence and testimony may be presented by all parties limited to the questions raised by the subpoena, the
8 objection, and subsequent responses thereto.

9

10 *History Note: Authority G.S. ~~88-23~~; 150B-25; 150B-39;*

11 *Eff. February 1, 1976;*

12 *Amended Eff. April 1, 1988;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

14 *13, 2015; April 1, 2026.*

15

1 **21 NCAC 14D .0310 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0310 RULINGS**

4 ~~Promptly~~ **Within 30 days** after the close of any hearing on an objection to a subpoena, the Board will issue a written
5 decision. Based on the evidence presented and the record, the Board may revoke or modify the subpoena for good
6 cause, based on such issues as oppressiveness, relevancy, and other appropriate factors, or may overrule the
7 objection to the subpoena. A written copy of the decision will be served on the person objecting to the subpoena
8 and all parties to the hearing.

9

10 *History Note: Authority G.S. 150B-38(h); 150B-39;*

11 *Eff. February 1, 1976;*

12 *Amended Eff. January 1, 1989; April 1, 1988;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
14 *13, 2015;*

15 *Readopted Eff. April 1, 2026.*

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Thursday, March 5, 2026 4:10 PM
To: Kuzdrall, Stefanie S <skuzdrall@nccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

In 14A .0403, are the name, license number, and fees all that's required to be on the "form" (i.e., application) to obtain an additional salon booth licensure? It's my understanding that a name and license number are all that's required to create an account with a pin/password. The pin/password is used to enter the "salon login" portal where an additional salon booth can be requested/purchased. Is this correct? If not, please clarify.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Sent: Thursday, March 5, 2026 4:00 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Sorry for the delay. No further changes. Thanks!

Stefanie Kuzdrall, MPA
Business Director
NC Board of Cosmetic Art Examiners
121 Edinburgh South Drive Suite 209
Cary, NC 27511
919-736-6123 ext 8
919-678-3012 (f)
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From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Thursday, March 5, 2026 3:51 PM
To: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

Good afternoon,

Does your agency intend to make any further changes to 14A .0403? I'm otherwise satisfied with the changes made to the other rules I reviewed.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Wednesday, March 4, 2026 4:53 PM
To: Kuzdrall, Stefanie S <skuzdrall@nccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

Thank you. Are the name, license number, and fees all that's required to be on the "form" (i.e., application) to obtain an additional salon booth licensure? I recommend adding to .0403 anything required on the form that's not already in a rule or G.S.

Travis C. Wiggs
Rules Review Commission Counsel
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Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes
Attachments: 21 ncac 14b .0503.doc; 21 ncac 14b .0608.docx; 21 ncac 14a .0403.doc

From: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Sent: Wednesday, March 4, 2026 2:37 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Thanks! These three are attached with changes. We made a few little changes to B .0608 too, (unstruck "will" and struck "by) I think they make the sentence more clear.

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1 **21 NCAC 14A .0403 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14A .0403 ADDITIONAL SALON CHAIRS**

3 Salon owners may request **an** additional salon ~~chair~~ **booth** licensure by submitting written application **including**
4 **name, license number,** and additional ~~chair~~ **booth** fees to the Board.

5

6 *History Note: Authority G.S. **88B-14;** 88B-20;*

7 *Eff. October 1, 2012;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
9 *13, 2015;*

10 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0503 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0503 REFUSAL TO ISSUE DECLARATORY RULING**

4 Whenever the Board ~~believes~~ believes, for good reason just cause as listed in 21 NCAC 14B .0506, that the
5 issuance of a declaratory ruling is inappropriate, it may refuse to do so. When ~~good reason~~ just cause is
6 deemed to exist, ~~the~~ the Board will notify the petitioner of its decision in writing stating the reasons for the
7 denial of a declaratory ruling.

8

9 *History Note: Authority G.S. ~~150B-17~~; 150B-4;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989; April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0608 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14B .0608 COMPLAINTS

4
5 (a) ~~Any person may file a~~ **The Board shall accept any** complaint alleging violation of the Cosmetic Art Act or this
6 Chapter ~~with the Board~~ for investigation and disciplinary action per G.S. 88B-24.

7 (b) The complaint shall be filed in writing with the Board. Complaints will be accepted ~~by fax, mail, email,~~ through
8 the Board's online complaint form **portal** at ~~www.nccosmeticarts.com or delivered in office.~~

9 **www.nccosmeticarts.com**. Upon receipt of a complaint, Board staff shall review the content for jurisdiction and
10 when finding authority under G.S. 88B ~~or this Chapter~~ assign the complaint for investigation. Complaints received
11 alleging violation outside the jurisdictional authority of the Board shall be forwarded to the appropriate agency and
12 the complainant notified, if contact information is provided by the complainant.

13 (c) The Board shall notify the complainant and the respondent in any complaint filed with the Board of the
14 disposition of the case.

15 *History Note: Authority G.S. 88B-4;*
16 *Eff. December 1, 2016*
17 *Readopted Eff. April 1,*
18 *2026;*

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Tuesday, March 3, 2026 5:22 PM
To: Kuzdrall, Stefanie S <skuzdrall@nccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

Thank you. Please see below.

21 NCAC 14A .0403

- Pursuant to G.S. 150B-2(8a)d., are the contents or substantive requirements of the written application prescribed by rule or statute? Recently, the RRC objected to an agency's rule that required use of a "form" because the form's "contents or substantive requirements" were not all "prescribed by rule of statute". It is reasonable to infer from this objection that the RRC wants each mandatory item on a form to be included in a rule or general statute. I recommend putting all the contents of the written application in this Rule, unless the contents are already included in a rule or statute.

21 NCAC 14B .0503

- Add a comma after ".0506".

21 NCAC 14B .0608

- Yes, replace "form" with "portal". On line 7, delete "mail".

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Sent: Tuesday, March 3, 2026 3:09 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Changes attached except for 14B .0608

21 NCAC 14A .0403

- How does the regulated public obtain a “written application” for an “additional salon booth licensure”? Pursuant to G.S. 150B-2(8a)d., are the contents or substantive requirements of the application prescribed by rule or statute? **This is in 88B-14. I have added the reference.**

21 NCAC 14B .0608

- In (b), please make clear how complaints “will be accepted by mail through the Board’s online complaint form.” **I added the word or, either way is acceptable.**
- Does this mean the public must print the online complaint form and send it via U.S. Mail? Also, pursuant to G.S. 150B-2(8a)d., are the contents or substantive requirements of the complaint form prescribed by rule or statute? **The word form is used but I think the context means something different, we used “form” because that is the type of field it is on our website, it is a blank text box that accepts any information. It is not a designated form with specific required fields but rather a portal for communication. Can we replace the word form with portal?**

21 NCAC 14C .0203

- Please clarify what is meant by, “Following such an informal contact with the Board.” Are you referring to informal discussions about resolution or disposition of the complaint?

This shouldn’t be from informal contact, we clarified to remove the term and to provide a path for requesting a hearing.

21 NCAC 14D .0105

- For .0103 and .0105, is the Board intending to incorporate the “Guidelines for Resolving...” by reference? Or just cross-referencing the Guidelines? Please insert a link where the public can access the Guidelines. **Added to both rules.**

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1 **21 NCAC 14A .0101 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **CHAPTER 14 – BOARD OF COSMETIC ART EXAMINERS**

4
5 **SUBCHAPTER 14A – DEPARTMENTAL RULES**

6
7 **SECTION .0100 – ORGANIZATION RULES**

8
9 **21 NCAC 14A .0101 DEFINITIONS**

10 In addition to the definitions set forth in G.S. 88B-2, the following definitions apply in this Chapter:

- 11 (1) "Beauty Establishment" refers to both cosmetic art schools and cosmetic art shops.
- 12 (2) "Clean" is the removal of visible and surface debris, **then** washing with soap and water, **using a**
13 detergent or chemical cleaner that prepares non-porous items for disinfection and reduces the
14 number and slows the growth of pathogens on both porous and non-porous surfaces. ~~Cleaning~~
15 ~~does not make multi-use items safe for use.~~
- 16 (3) "Cosmetology School" is any cosmetic art school that teaches cosmetic art as defined by G.S.
17 88B-2(5), but is not solely a manicurist or an esthetics school.
- 18 (4) "Cosmetology Student" is a student in any cosmetic art school whose study is the full curriculum.
- 19 (5) "Esthetician School" is any cosmetic art school that teaches only the cosmetic art of skin care.
- 20 (6) "Esthetician Student" is a student in any cosmetic art school whose study is limited to the
21 esthetician curriculum set forth in 21 NCAC 14T .0604.
- 22 (7) "Licensing cycle" shall be as follows:
- 23 (a) for cosmetologists, the licensing cycle is a three-year period beginning on the first day of
24 October and ending ~~on the third following~~ first day of October **of the third year in the**
25 **period** and continuing thereafter in three year intervals;
- 26 (b) for estheticians, natural hair care specialists and manicurists, the licensing cycle is one
27 year in length beginning on the first day of October and ending on the next first day of
28 October;
- 29 (c) for teachers, the licensing cycle is a two-year period beginning on the first day of October
30 of an even-numbered year and ending on the next first day of October of the next even-
31 numbered year.
- 32 (8) "Manicurist School" is a cosmetic art school that teaches only the cosmetic art of manicuring.
- 33 (9) "Manicurist Student" is a student in any cosmetic art school whose study is limited to the
34 manicurist curriculum set forth in 21 NCAC 14T .0605.
- 35 (10) "Natural hair care school" is a cosmetic art school that teaches only the cosmetic art of natural hair
36 care.

37 (11) "Natural hair care student" is a student in any cosmetic art school whose study is limited to the
38 natural hair care curriculum set forth in 21 NCAC 14T .0606.

39 (12) "Porous" is a material that has minute spaces or holes through which liquid or air may pass such as
40 paper, foam, and wood. Porous may also be called permeable, penetrable, or cellular.

41

42 *History Note: Authority G.S. 88B-2; 88B-4;*

43 *Eff. February 1, 1976;*

44 *Amended Eff. June 1, 1993; October 1, 1991; May 1, 1991; January 1, 1989;*

45 *Temporary Amendment Eff. January 1, 1999;*

46 *Amended Eff. October 1, 2012; July 1, 2010; December 1, 2008; May 1, 2005; December 1, 2004;*

47 *May 1, 2004; February 1, 2004; April 1, 2001; August 1, 2000;*

48 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

49 *13, 2015;*

50 *Amended Eff. April 1, 2023; March 1, 2022; September 1, 2018; March 1, 2018;*

51 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0403 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14A .0403 ADDITIONAL SALON CHAIRS**

3 Salon owners may request **an** additional salon ~~chair~~ **booth** licensure by submitting written application and additional
4 ~~chair~~ **booth** fees to the Board.

5

6 *History Note: Authority G.S. **88B-14**; 88B-20;*

7 *Eff. October 1, 2012;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
9 *13, 2015;*

10 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0101 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **SUBCHAPTER 14B - RULE-MAKING PROCEDURES**

3
4 **SECTION .0100 - PETITIONS FOR RULE-MAKING**

5
6 **21 NCAC 14B .0101 PETITIONS**

7 Any person wishing to submit a petition requesting the adoption of a rule by the Board ~~must~~ **shall** address a petition
8 to the chairman of the Board at the Board's address ~~address~~ **address listed in 21 NCAC 14A .0104.**

9
10 *History Note: Authority G.S. ~~150B-16;~~ **150B-20; 88B-4;***

11 *Eff. February 1, 1976;*

12 *Amended Eff. January 1, 1989; April 1, 1988;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
14 *13, 2015;*

15 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0302 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3
4 21 NCAC 14B .0302 PROCEDURE FOR MAKING ORAL PRESENTATION AT HEARING

5 (a) A person desiring to make an oral presentation on a proposed rule or amendment to a rule at a rule-making
6 hearing ~~must file~~ shall submit a request to make a presentation with the chairman of the Board, at the Board's
7 address, at least 15 days before the hearing. The presiding officer at the hearing may, however, waive or
8 excuse a person's failure to give this notice for good ~~reason-~~ cause.

9 (b) A request to make an oral presentation ~~must~~ shall contain a brief summary of the subject on which the
10 individual desires to speak and an estimation of the length of time needed. An oral presentation ~~may~~ shall not
11 exceed ~~five~~ 5 minutes unless the presiding officer, either before or at the hearing, grants an extension of time
12 for good ~~reason-~~ cause.

13 (c) A person who makes an oral presentation at a rule-making hearing is ~~encouraged to-~~ may submit a written
14 copy of the presentation to the Board either before or at the hearing.

15
16 *History Note: Authority G.S. ~~150B-11(1); 150B-12;~~ 150B-21.2; 88B-4;*
17 *Eff. February 1, 1976;*
18 *Amended Eff. January 1, 1989; April 1, 1988;*
19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
20 *13, 2015;*
21 *Readoption Eff. April 1, 2026.*

1 **21 NCAC 14B .0503 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0503 REFUSAL TO ISSUE DECLARATORY RULING**

4 Whenever the Board ~~believes~~ believes, ~~for good reason~~ just cause as listed in 21 NCAC 14B .0506 that the
5 issuance of a declaratory ruling is inappropriate, it may refuse to do so. When ~~good reason~~ just cause is
6 deemed to exist, ~~the~~ the Board will notify the petitioner of its decision in writing stating the reasons for the
7 denial of a declaratory ruling.

8

9 *History Note: Authority G.S. ~~150B-17;~~ 150B-4;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989; April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0505 AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS FOLLOWS:**

2 **21 NCAC 14B .0505 PROCEDURE**

3 A declaratory ruling procedure ~~may~~ **shall** consist of written ~~statements,~~ **statements and** oral ~~hearings and~~
4 **hearings.** ~~or such other procedures as may be appropriate in a particular case.~~

5

6 *History Note: Authority G.S. ~~88-23; 150B-17;~~ **150B-4;***

7 *Eff. February 1, 1976;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
9 *13, 2015;*

10 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0603 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0603 POSTAGE AND HANDLING**

4 There will be a five dollar (\$5.00) charge for postage and handling for all mailings.

5

6 *History Note: Authority G.S. 12-3.1; ~~150B-11(1)~~; **150B-19(5); 88B-4;***

7 *Eff. December 1, 1990;*

8 *Temporary Amendment Eff. December 1, 2001;*

9 *Amended Eff. August 1, 2002;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0103 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0103 PRESIDING OFFICER**

4 If no other presiding officer has been designated by the Board, or if the designated presiding officer is unavailable or
5 disqualifies ~~himself,~~ themselves, the chairman of the Board shall act as presiding officer for purposes of issuing
6 subpoenas, ordering the production of records, responding to motions for continuances or extensions of time,
7 controlling and ruling on issues surrounding discovery, and otherwise acting on matters arising in connection with a
8 pending hearing and shall have all powers granted to the presiding officer under ~~Article 3A of Chapter 150B of the~~
9 ~~North Carolina General Statutes.~~ G.S. 150B-40.

10

11 *History Note: Authority G.S. 150B-38(h); 150B-40(b);*

12 *Eff. April 1, 1988;*

13 *Amended Eff. January 1, 1989;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
15 *13, 2015;*

16 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14C .0201 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 SECTION .0200 - REQUEST FOR A HEARING
4

5 21 NCAC 14C .0201 REQUEST

6 When any person believes his their rights, ~~duties~~ duties, or privileges have been affected by administrative action of
7 the Board, ~~he~~ they may request an administrative hearing.

8

9 *History Note: Authority G.S. ~~150B-2~~; 150B-22(b); 150B-38(h);*

10 *Eff. February 1, 1976;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0203 IS READOPTED AS PUBLISHED IN 40:06 NCR 56 7WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0203 WRITTEN REQUEST**

4 ~~Following such an informal contact with the Board as set out in 21 NCAC 14C .0202, if still dissatisfied, one~~ **Any**
5 **person** may file a written request for an administrative hearing with the chairman of the Board at its address.

6
7 *History Note: Authority G.S. 150B-38; **93B-1(2); 88B-4;***

8 *Eff. February 1, 1976;*

9 *Amended Eff. January 1, 1989;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14C .0804 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3

4 21 NCAC 14C .0804 ~~ADVISABILITY~~ INTERVENTION

5 Discretionary intervention will be ~~deemed advisable~~ allowed when:

6 (1) The information the petitioner desires to present is relevant and not repetitious or merely
7 cumulative; and

8 (2) The petitioner would lend added impact facts to arguments of the parties.

9

10 *History Note: Authority G.S. ~~150B-38~~; 150B-38(f);*
11 *Eff. February 1, 1976;*
12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*
13 *January 13, 2015;*
14 *Readopted Eff. April 1, 2026.*

15

1 21 NCAC 14D .0103 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14D .0103 CONTINUANCES

4 A continuance will ~~will~~ **shall** be granted to ~~a party~~ **all parties** only ~~in compelling circumstances.~~ **upon showing of good**
5 **cause.** ~~Usually only one such postponement will be allowed.~~ **In determining whether to grant such motions, the**
6 **Board shall consider the Guidelines for Resolving Scheduling Conflicts adopted by the State-Federal Judicial**
7 **Council of North Carolina accessible at [https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-](https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-guidelines.pdf?sfvrsn=d9baf07_0)**
8 **[guidelines.pdf?sfvrsn=d9baf07_0](https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-guidelines.pdf?sfvrsn=d9baf07_0).** **Motions for a continuance must be in writing and received in the office of the**
9 **Board no less than 14 calendar days before the hearing date. A motion for a continuance filed less than 14 calendar**
10 **days from the date of the hearing shall be denied unless the reason for the motion could not have been ascertained**
11 **earlier. Motions for continuance shall be ruled on by the Board chair or designated presiding officer.**

12

13 *History Note: Authority G.S. 150B-38(h); 150B-40;*

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989; April 1, 1988;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14D .0105 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14D .0105 CRITERIA FOR REOPENING A CASE

4 The Board shall make a decision on whether to reopen the petitioner's case based upon the merits of the petition or
5 other pertinent information in the Board's possession. In determining whether to grant such motions, the Board shall
6 consider the Guidelines for Resolving Scheduling Conflicts adopted by the State-Federal Judicial Council of North
7 Carolina accessible at [https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-](https://www.ca4.uscourts.gov/docs/pdfs/north-carolina-scheduling-conflict-guidelines.pdf?sfvrsn=d9baf07_0)
8 guidelines.pdf?sfvrsn=d9baf07_0. Motions to reopen must be in writing and received in the office of the Board no
9 less than 14 calendar days before the hearing date. A motion to reopen filed less than 14 calendar days from the date
10 of the hearing shall be denied unless the reason for the motion could not have been ascertained earlier. Motions for
11 continuance shall be ruled on by the Board chair or designated presiding officer. A copy of the decision will be sent
12 to the petitioner and made a part of the permanent record of the contested case.

13
14 *History Note: Authority G.S. 150B-38;*
15 *Eff. February 1, 1976;*
16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*
18 *Readopted Eff. April 1, 2026.*

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Tuesday, March 3, 2026 11:16 AM
To: Kuzdrall, Stefanie S <skuzdrall@ncccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

Good morning,

Thank you for the changes. Please see further requests below.

21 NCAC 14A .0101

- Line 1, remove the name of the Rule from the introductory statement.

21 NCAC 14A .0403

- How does the regulated public obtain a “written application” for an “additional salon booth licensure”? Pursuant to G.S. 150B-2(8a)d., are the contents or substantive requirements of the application prescribed by rule or statute?

21 NCAC 14B .0101

- Can a petition also be hand-delivered to the Board’s address? If so, please insert the physical address or reference 14A .0104 in this Rule.

21 NCAC 14B .0302

- Line 13, delete “to” after “may”.

21 NCAC 14B .0503

- Line 4, add a comma after “believes”. Add “0” before “506” and add a comma after “.0506”.
- Line 6, make “the” lowercase.

21 NCAC 14B .0505

- Lines 4-5, delete the comma after “statements”. Also delete the “and” before “hearings”.

21 NCAC 14B .0603

- History Note, change to G.S. 150B-19(5).

21 NCAC 14B .0608

- Line 5, isn’t the Board required to “accept any complaint alleging violation of the Cosmetic Art Act or this Chapter for investigation”? If so, replace “may” with “shall”.
- In (b), please make clear how complaints “will be accepted by mail through the Board’s online complaint form.” Does this mean the public must print the online complaint form and send it via U.S. Mail? Also, pursuant to G.S. 150B-2(8a)d., are the contents or substantive requirements of the complaint form prescribed by rule or statute?

21 NCAC 14C .0103

- Lines 8-9, change to “G.S.”.

21 NCAC 14C .0201

- History Note, add “G.S. 150B-22(b).”

21 NCAC 14C .0203

- Please clarify what is meant by, “Following such an informal contact with the Board.” Are you referring to informal discussions about resolution or disposition of the complaint?
- History Note, did you mean “93B-1(2)”?

21 NCAC 14C .0804

- Line 5, insert “permitted” or “allowed” before “when”.

21 NCAC 14D .0105

- For .0103 and .0105, is the Board intending to incorporate the “Guidelines for Resolving...” by reference? Or just cross-referencing the Guidelines? Please insert a link where the public can access the Guidelines.

Please reply with the requested changes and/or responses at your earliest convenience. Thank you.

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Monday, March 2, 2026 12:10 PM
To: Kuzdrall, Stefanie S <skuzdrall@nccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

The responses aren't necessary for me, but other staff counsel may request it.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Sent: Monday, March 2, 2026 11:53 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

We worked to address both the comments and the questions by rewording and adding the specific references as noted but I will get you the responses as soon as I can.

Stefanie Kuzdrall, MPA
Business Director
NC Board of Cosmetic Art Examiners
121 Edinburgh South Drive, Suite 209
Cary, NC 27511
919-736-6123 ext 8

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Monday, March 2, 2026 11:20 AM
To: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

Good morning,

Will you be sending responses or comments to the questions I posed in the attached Request for Technical Changes? I'm asking in case it was inadvertently left off. Agencies typically send their responses in the RTC document, along with the revised individual rules.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14A .0101

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Generally, for all the rules submitted, I don't see the requirements listed in G.S. 150B-19.1(c)(1)-(5) posted on your agency's website. Are those requirements still listed on your website? If not, when were they removed? Is your agency able to provide screenshots or other evidence of compliance with G.S. 150B-19.1(c)?

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Lines 12-13, it's unclear what is required. Must the regulated public take three actions: remove the visible and surface debris, wash with soap and water, then wash with detergent or chemical cleaner? Please rephrase for clarity.

Lines 14-15, the sentence beginning with "Cleaning" is unclear and ambiguous. What are "multi-use items" and how are they made "safe for use"?

Line 24, what does "ending on the third following first day of October" mean? Please rephrase for clarity.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14A .0104

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, capitalize "board" and replace "North Carolina" with "NC".

Does your agency have a "Location and Contact Information" rule? Please review and follow Chapter 4 of the OAH Style Guide located here <https://www.oah.nc.gov/documents/rules/administrative-rule-style-guide-updated-april-2021/download>.

In the History Note, G.S. 88-23 was repealed in 1998. What is your authority to promulgate this Rule?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14A .0401

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 5, capitalize "armed forces" and add a comma after "States".

Line 8, capitalize "armed forces" and add a comma after "States".

Line 11: add a comma after "fees".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14A .0402

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, add "a" before "written".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14A .0403

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, add "an" after "request".

Line 4, "salon chair licensure" is not mentioned in G.S. 88B-20. How does this General Statute provide your agency with the authority to promulgate this Rule?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14A .0404

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 14, how does G.S. 88B-2 provide authority for this Rule?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0101

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 8, replace "must" with "shall".

Line 9, is it the Board's intent that petitions may only be submitted via U.S. Mail?

History Note, G.S. 150B-16 was repealed in 1991. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0102

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, replace "must" with "shall".

History Note, G.S. 150B-16 was repealed in 1991. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0105

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, replace "must" with "shall".

Line 5, replace "must" with "shall". Delete "all".

History Note, G.S. 150B-16 was repealed in 1991. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0107

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 6, replace "therefor" with "therefore".

History Note, G.S. 150B-16 was repealed in 1991. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0201

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 7, give "30 days notice" of what? Is there a rule or statute that governs?

History Note, G.S. 150B-12 and 150B-16 were repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0302

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 5, add "a" before "rule".

Line 6, replace "must" with "shall". Replace "file" with "submit".

Line 8, replace "reason" with "cause".

Line 9, replace "must" with "shall".

Line 10, replace "may" with "shall".

Line 11, replace "five" with "5".

Line 12, replace "reason" with "cause".

Line 13, replace "encouraged" with "may".

History Note, G.S. 150B-12 and 150B-11(1) were repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0304

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 6, add "of the Board" after "chairman". Replace "must" with "shall".

Lines 7-8, delete "the imposition of". Replace "the end of" with "conduct".

History Note, G.S. 150B-11(1) was repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0305

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 5, replace "for five" with "up to 5".

Line 10, replace "should" with "shall".

History Note, G.S. 150B-12 and 150B-11(1) were repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0306

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, how will the Board acknowledge written comments?

Lines 4-5, remove "North Carolina State" and "of Cosmetic Art Examiners" to be consistent with other rules.

History Note, G.S. 150B-11(1) was repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0307

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Lines 4-5, why is (a) Purpose necessary?

Line 11, delete "at all times". Replace "take care" with "ensure".

Line 12, add a comma after "data".

Line 15, make "hearing" plural. Consider rephrasing (e) so that "subject to the following limitations" immediately precedes the subsequent list.

Line 16, capitalize "board" in both instances.

Lines 16-17, what is the meaning of "when such pooling are necessary to allow the hearing to go forward."

Lines 18-19, add a comma after "equipment" and "present".

Line 22, capitalize "board".

For all the lists, please review and follow the OAH Study Guide, Chapter 14.

Line 36, "reasonable to conclude" is unclear and ambiguous. Please rephrase.

History Note, G.S. 143-318.4 was repealed. Why is G.S. 150B-21.2 authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0308

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

History Note, G.S. 150B-12(e) and 150B-11(1) were repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0309

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 6, "notice" of what?

Line 7, "submitted" by whom?

Line 10, will the record only be "maintained" in a physical "file"? Please specify.

History Note, G.S. 150B-11(1) was repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0501

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, what is the definition of "substantially affected?"

Line 7, capitalize "board".

History Note, G.S. 150B-17 was recodified in 150B-4.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0502

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, replace "must" with "shall".

Lines 7-8, add "or she" after "he". Does "may be" refer to possibly being aggrieved in the future? Add a comma after "statute". Add "or her" after "him".

Line 9, replace "desired" with "being requested". Add a comma after "and" and after "so". Add "e" to the end of "therefor".

History Note, G.S. 150B-17 was recodified in 150B-4.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0503

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, "believes for good reason that the issuance of a declaratory ruling is inappropriate" is unclear and ambiguous. Please rephrase.

Line 5, replace "good reason" with "just cause". How will it be "deemed to exist"?

Line 6, add "the" before "reasons".

History Note, G.S. 150B-17 was recodified in 150B-4.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0505

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Lines 4-5, delete "may" or replace it with "shall". Add a comma after "hearings". What are the "other procedures as may be appropriate"? Please be specific.

History Note, G.S. 88-23 was repealed. G.S. 150B-17 was recodified in 150B-4.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0506

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, is this saying the Board “may refuse” if all of (1)-(3) are satisfied? This is unclear.

Lines 5, 7, and 9, remove “When” at the beginning of each item.

Line 5, who decides if the Board has “already made a controlling decision on substantially similar facts”? How is the decision made?

Line 8, is “and” or “or” intended?

History Note, G.S. 150B-17 was recodified in 150B-4.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0601

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 6, "small fee" is unclear. Please be specific.

History Note, G.S. 150B-11(1) was repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0603

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, G.S. 12-3.1 requires the fee to be "reasonable"? How is "\$5.00" reasonable for "all mailings"?

History Note, G.S. 150B-11(1) was repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0605

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 7, G.S. 88B-20 requires the fee of "\$39.00 every 3 years". Please make the frequency of the fee clear in this Rule.

Line 9, replace "the" with "a" and add "on and after" before "October 1, 2010". Add a comma after "2010".

History Note, G.S. 150B-11(1) was repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14B .0608

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 6, G.S. 88B-24 lists the reasons the Board may take action. How does this G.S. authorize a person to "file a complaint"?

Line 7, lists the ways a complaint shall be filed. Other rules in Chapter 14 only allow documents to be sent via U.S. Mail. Please be consistent in how documents shall be received by the Board.

Line 9, "under G.S. 88B or this Chapter" is unclear. Please be specific. Add a comma after "and" and "Chapter".

History Note, G.S. 150B-11(1) was repealed. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0101

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 9, replace "must" with "shall".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0103

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 5, replace "himself" with "themselves".

Lines 8-9, replace "Article 3A of Chapter 150B of the North Carolina General Statutes" with the specific statute(s) you're referring to.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0201

DEADLINE FOR RECEIPT:

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 5, replace "his" with "their". Add a comma after "duties".

Line 6, replace "he" with "they".

History Note, how is G.S. 150B-2 authority? Should G.S. 150B-22(b) be included?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0203

DEADLINE FOR RECEIPT:

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, "21 NCAC 14C .0202" was repealed in 2011. Please delete it.

History Note, G.S. 150B-38 governs the conduct of hearings. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0204

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, replace "must" with "shall".

History Note, G.S. 150B-38 governs the conduct of hearings. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0205

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, "promptly" is vague. Please replace it with a clear standard. How will the Board "acknowledge" the request?

History Note, G.S. 150B-38 governs the conduct of hearings. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0503

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, replace "North Carolina General Statutes" with "G.S."

Line 5, replace "must" with "shall".

History Note, G.S. 150B-38 governs the conduct of hearings. What is your agency's authority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0601

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 6, "normally" is unclear and ambiguous. When would a hearing not be heard by a majority?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0801

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 7, replace “the North Carolina Rules of Civil Procedure” with “G.S. 1A-1.”. Replace “must” with “shall”.

Lines 8, replace “that rule” with “Rule 24”.

Lines 8-9, delete “For the purposes of intervention”. Consider saying, “Moving to intervene any time prior to the hearing’s termination shall be considered timely unless...”

History Note, add “(f)” to the end of G.S. 150B-38.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0802

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

*Line 5, replace “the North Carolina Rules of Civil Procedure” with “G.S. 1A-1.”
Replace “must” with “shall”.*

Lines 6, replace “that rule” with “Rule 24”.

History Note, add “(f)” to the end of G.S. 150B-38.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0803

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 5, replace "must" with "shall".

History Note, add "(f)" to the end of G.S. 150B-38.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0804

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 5, "deemed advisable" by whom? How is this determined?

Line 8, "lend added impact" is unclear and ambiguous. Please rephrase.

Rules are not "advisable" by their nature. What is being required or prohibited by this Rule?

History Note, add "(f)" to the end of G.S. 150B-38.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0805

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 5, replace "must" with "shall".

History Note, add "(f)" to the end of G.S. 150B-38.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0807

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, "promptly" is vague. Please replace it with a clear standard.

Line 5, add a comma after "intervention". Replace "will" with "must".

Line 6, add a comma after "evidence".

History Note, add "(f)" to the end of G.S. 150B-38.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0808

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 3, replace "must" with "shall". "Promptly" is vague. Please replace it with a clear standard

History Note, how is G.S. 150B-28 authority for this Rule? It governs depositions.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0903

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 6, add "e" to the end of "therefor".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0904

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, delete "for any reason".

History Note, replace "(8)" with "(h)" the end of G.S. 150B-38.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0906

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, consider beginning with, "An affidavit to disqualify a board member shall be considered timely if it was filed..."

Line 6, add "the" before "facts".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0907

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, capitalize "board" and replace "person" with "board member".

Line 6, replace "person" with "board member".

Line 9, add a comma after "Board", delete "or", and add a comma after "secretary".

Line 10, add a comma after "necessary".

Line 12, is the decision made by a majority vote? How is a tie vote decided?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14C .0908

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, replace "the" with "a" and replace "must" with "shall".

Line 5, who decides "if any party would be prejudiced"? How is it determined?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0101

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 8, what rule or law will govern how and when service is accomplished?

Line 10, is it the Board's intent to permit dismissal at the first setting of a hearing without a prior continuance?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0103

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, “compelling circumstances” and “usually” are unclear and ambiguous. Please cite an objective standard. Replace “postponement” with “continuance” for consistency.

Line 5, replace “will” with “shall” once a clear standard is added to the Rule. Also, please make clear if this Rule will apply to all parties involved.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0104

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Lines 4-5, delete "if" and "to a". Delete the "ing" from "removing" and delete "of".

Lines 5-6, who determines if the "failure to appear was justifiable"? How is it determined?

Line 6, delete "a" and "of".

Line 7, replace "for" with "to". Also, delete "ing of" and replace "it's" with "their".

History Note, how is G.S. 150B-38 authority for this Rule?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0105

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, "based upon the merits of the petition" are unclear and ambiguous. Is there a burden of proof the Board will apply? Is the decision on whether to reopen decided by a majority vote? Please define or cite an objective standard the Board will apply.

History Note, how is G.S. 150B-38 authority for this Rule?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0302

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 3, delete "those",

Line 4, replace "his" with "their".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0303

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, replace "may" with "shall". Please specify which law(s) govern (e.g., G.S. 1A-1, Rule 45).

Line 5, "promptly" is vague. Please replace it with a clear standard.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0305

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, delete "thereto" since it's unnecessary.

History Note, add "(c)" to the end of "150B-39".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0306

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, replace “must” with “shall”. Delete “concise but”.

Line 5, consider using “quashed”.

Line 6, add “legal” before “reason” and delete “sufficient in law”. Replace “holding” with “declaring”.

Line 9, who must be impacted by the “undue hardship”. Please clarify.

History Note, add “(c)” to the end of “150B-39”.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0307

DEADLINE FOR RECEIPT: March 5, 2026

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, replace "must" with "shall". Delete "concise but".

History Note, add "(c)" to the end of "150B-39".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0308

DEADLINE FOR RECEIPT: March 5, 2026

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, "within 10 days" of what event? Please clarify.

History Note, add "(c)" to the end of "150B-39".

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0309

DEADLINE FOR RECEIPT: March 5, 2026

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 4, consider adding "panel" after "board".

Lines 5-6, add a comma after "it" and after "time".

Line 6, replace "reasonable time" with a specific time frame for clarity.

History Note, how is "88-23" authority for this Rule?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14D .0310

DEADLINE FOR RECEIPT: March 5, 2026

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

For all rules submitted, Line 1, remove the name of each rule from the introductory statement.

Line 3, "promptly" is vague. Please replace it with a clear standard.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted on February 19, 2026

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes
Attachments: 21 ncac 14c .0903.doc; 21 ncac 14c .0904.doc; 21 ncac 14c .0906.doc; 21 ncac 14c .0907.doc; 21 ncac 14c .0908.doc; 21 ncac 14d .0101.doc; 21 ncac 14d .0103.doc; 21 ncac 14d .0104.doc; 21 ncac 14d .0105.doc; 21 ncac 14d .0302.doc; 21 ncac 14d .0303.doc; 21 ncac 14d .0305.doc; 21 ncac 14d .0306.doc; 21 ncac 14d .0307.doc; 21 ncac 14d .0308.doc; 21 ncac 14d .0309.doc; 21 ncac 14d .0310.doc; 21 ncac 14a .0101.doc; 21 ncac 14a .0104.doc; 21 ncac 14a .0401.doc; 21 ncac 14a .0402.doc; 21 ncac 14a .0403.doc; 21 ncac 14a .0404.doc; 21 ncac 14b .0101.doc; 21 ncac 14b .0102.doc; 21 ncac 14b .0105.doc; 21 ncac 14b .0107.doc; 21 ncac 14b .0201.doc; 21 ncac 14b .0302.doc; 21 ncac 14b .0304.doc; 21 ncac 14b .0305.doc; 21 ncac 14b .0306.doc; 21 ncac 14b .0307.doc; 21 ncac 14b .0308.doc; 21 ncac 14b .0309.doc; 21 ncac 14b .0501.doc; 21 ncac 14b .0502.doc; 21 ncac 14b .0503.doc; 21 ncac 14b .0505.doc; 21 ncac 14b .0506.doc; 21 ncac 14b .0601.doc; 21 ncac 14b .0603.doc; 21 ncac 14b .0605.doc; 21 ncac 14b .0608.doc; 21 ncac 14c .0101.doc; 21 ncac 14c .0103.doc; 21 ncac 14c .0201.doc; 21 ncac 14c .0203.doc; 21 ncac 14c .0204.doc; 21 ncac 14c .0205.doc; 21 ncac 14c .0503.doc; 21 ncac 14c .0601.doc; 21 ncac 14c .0801.doc; 21 ncac 14c .0802.doc; 21 ncac 14c .0803.doc; 21 ncac 14c .0804.doc; 21 ncac 14c .0805.doc; 21 ncac 14c .0807.doc; 21 ncac 14c .0808.doc

From: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Sent: Monday, March 2, 2026 10:28 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good Morning,
I have attached our technical changes. Thank you for all your help with these.

Stefanie Kuzdrall, MPA
Business Director
NC Board of Cosmetic Art Examiners
121 Edinburgh South Drive, Suite 209
Cary, NC 27511
919-736-6123 ext 8

1 21 NCAC 14A .0101 DEFINITIONS IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS
2 FOLLOWS:

3 CHAPTER 14 – BOARD OF COSMETIC ART EXAMINERS

4
5 SUBCHAPTER 14A – DEPARTMENTAL RULES

6
7 SECTION .0100 – ORGANIZATION RULES

8
9 21 NCAC 14A .0101 DEFINITIONS

10 In addition to the definitions set forth in G.S. 88B-2, the following definitions apply in this Chapter:

- 11 (1) "Beauty Establishment" refers to both cosmetic art schools and cosmetic art shops.
- 12 (2) "Clean" is the removal of visible and surface debris, **then** washing with soap and water, **using a**
13 detergent or chemical cleaner that prepares non-porous items for disinfection and reduces the
14 number and slows the growth of pathogens on both porous and non-porous surfaces. ~~Cleaning~~
15 ~~does not make multi-use items safe for use.~~
- 16 (3) "Cosmetology School" is any cosmetic art school that teaches cosmetic art as defined by G.S.
17 88B-2(5), but is not solely a manicurist or an esthetics school.
- 18 (4) "Cosmetology Student" is a student in any cosmetic art school whose study is the full curriculum.
- 19 (5) "Esthetician School" is any cosmetic art school that teaches only the cosmetic art of skin care.
- 20 (6) "Esthetician Student" is a student in any cosmetic art school whose study is limited to the
21 esthetician curriculum set forth in 21 NCAC 14T .0604.
- 22 (7) "Licensing cycle" shall be as follows:
- 23 (a) for cosmetologists, the licensing cycle is a three-year period beginning on the first day of
24 October and ending ~~on the third following~~ first day of October **of the third year in the**
25 **period** and continuing thereafter in three year intervals;
- 26 (b) for estheticians, natural hair care specialists and manicurists, the licensing cycle is one
27 year in length beginning on the first day of October and ending on the next first day of
28 October;
- 29 (c) for teachers, the licensing cycle is a two-year period beginning on the first day of October
30 of an even-numbered year and ending on the next first day of October of the next even-
31 numbered year.
- 32 (8) "Manicurist School" is a cosmetic art school that teaches only the cosmetic art of manicuring.
- 33 (9) "Manicurist Student" is a student in any cosmetic art school whose study is limited to the
34 manicurist curriculum set forth in 21 NCAC 14T .0605.
- 35 (10) "Natural hair care school" is a cosmetic art school that teaches only the cosmetic art of natural hair
36 care.

37 (11) "Natural hair care student" is a student in any cosmetic art school whose study is limited to the
38 natural hair care curriculum set forth in 21 NCAC 14T .0606.

39 (12) "Porous" is a material that has minute spaces or holes through which liquid or air may pass such as
40 paper, foam, and wood. Porous may also be called permeable, penetrable, or cellular.

41

42 *History Note: Authority G.S. 88B-2; 88B-4;*

43 *Eff. February 1, 1976;*

44 *Amended Eff. June 1, 1993; October 1, 1991; May 1, 1991; January 1, 1989;*

45 *Temporary Amendment Eff. January 1, 1999;*

46 *Amended Eff. October 1, 2012; July 1, 2010; December 1, 2008; May 1, 2005; December 1, 2004;*

47 *May 1, 2004; February 1, 2004; April 1, 2001; August 1, 2000;*

48 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

49 *13, 2015;*

50 *Amended Eff. April 1, 2023; March 1, 2022; September 1, 2018; March 1, 2018;*

51 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0104 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2

3 **21 NCAC 14A .0104 ADDRESS**

4 The address for the ~~board~~ **Board** is 121 Edinburgh South Drive, Suite 209, Cary, ~~North Carolina~~ **NC** 27511.

5

6 *History Note: Authority G.S. ~~88-23~~; **88B-6**;*

7 *Eff. February 1, 1976;*

8 *Amended Eff. January 1, 2015; August 1, 1998; December 6, 1991; January 1, 1989; April 1,*
9 *1988;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Amended Eff. September 1, 2021;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0401 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2
3 **SECTION .0400 - LICENSE WAIVER FOR ARMED FORCES**

4
5 **21 NCAC 14A .0401 LICENSE WAIVER FOR ARMED FORCES**

6 (a) Licensees in good standing and serving in the ~~armed forces~~ **Armed Forces** of the United States ~~States,~~ or the
7 spouse of an individual in good standing and serving in the ~~armed forces~~ **Armed Forces** of the United States ~~States,~~
8 are allowed an extension on the license renewal payment and required continuing education hours as permitted G.S.
9 93B-15.

10 (b) Individuals holding current and valid licensure as determined by G.S. 93B-15.1 may apply for licensure with the
11 Board by providing a copy of the current and valid license along with a the license application, fees ~~fees,~~ and
12 documentation of military experience or training.

13
14 *History Note: Authority G.S. 93B-15; 93B-15.1;*

15 *Eff. June 1, 2010;*

16 *Amended Eff. August 1, 2014;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
18 *13, 2015;*

19 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0402 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14A .0402 **DUPLICATE LICENSES****

3 (a) A licensee may request a duplicate license by submitting a written application and a duplicate license fee to the
4 Board.

5 (b) All overpayments will be returned to the submitting applicant or licensee.

6

7 *History Note: Authority G.S. 88B-20;*

8 *Eff. October 1, 2012;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
10 *13, 2015;*

11 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0403 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14A .0403 ADDITIONAL SALON CHAIRS**

3 Salon owners may request **an** additional salon ~~chair~~ **booth** licensure by submitting written application and additional
4 ~~chair~~ **booth** fees to the Board.

5

6 *History Note: Authority G.S. 88B-20;*

7 *Eff. October 1, 2012;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
9 *13, 2015;*

10 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14A .0404 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2

3 **21 NCAC 14A .0404 FEES**

4

5 (a) Fees and civil penalties paid by personal checks that are returned for any reason shall be treated in the same
6 manner as though no fee had been tendered and the bank's returned check fee, not to exceed thirty-five dollars
7 (\$35.00), shall be assessed to the account holder. All subsequent payments must be submitted via credit card, money
8 order, or certified check.

9 (b) All moneys tendered in payment of fees shall be in the exact amount required for said fees. No part of a fee
10 submitted to the Board per G.S. 88B-20 shall be refundable.

11 (c) Licenses, certifications, duplicates, inactivations, or reactivations shall not be processed until all fees and
12 assessed civil penalties are paid in full.

13

14 *History Note: Authority G.S. 25-3-506; ~~88B-2~~; 88B-4; 88B-20*

15 *Eff. September 1, 2012;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Amended Eff. September 1, 2021;*

19 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0101 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **SUBCHAPTER 14B - RULE-MAKING PROCEDURES**

3
4 **SECTION .0100 - PETITIONS FOR RULE-MAKING**

5
6 **21 NCAC 14B .0101 PETITIONS**

7 Any person wishing to submit a petition requesting the adoption of a rule by the Board ~~must~~ **shall** address a petition
8 to the chairman of the Board at the Board's address.

9
10 *History Note: Authority G.S. ~~150B-16;~~ **150B-20; 88B-4;***

11 *Eff. February 1, 1976;*

12 *Amended Eff. January 1, 1989; April 1, 1988;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
14 *13, 2015;*

15 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0102 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14B .0102 CONTENTS OF PETITIONS**

3 The petition ~~must~~ **shall** contain the following information:

- 4 (1) a draft of the proposed rule or amendment,
- 5 (2) a summary of the contents of the proposed rule or amendment,
- 6 (3) reason for the proposal,
- 7 (4) effect of the new rule or amendment on existing rules,
- 8 (5) data supporting the rule proposal,
- 9 (6) effect of the proposed rule or amendment on existing practices in the area involved, including cost
- 10 factors, and
- 11 (7) name and address of each petitioner.

12

13 *History Note: Authority G.S. ~~150B-16~~; **150B-20**; **88B-4**;*

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989; April 1, 1988;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

17 *13, 2015;*

18 *Readopted Eff. April, 1, 2026.*

1 **21 NCAC 14B .0105 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14B .0105 GRANTING OR DENYING PETITIONS**

3 The Board ~~must~~ **shall** determine, based on a study of the facts stated in the petition, whether the public interest will
4 be better served by granting or denying the petition. The Board ~~must~~ **shall** consider ~~all~~ the contents of the submitted
5 petitions plus any additional information deemed relevant.

6
7 *History Note: Authority G.S. ~~150B-16;~~ **150B-20; 88B-4;***

8 *Eff. February 1, 1976;*

9 *Amended Eff. January 1, 1989; April 1, 1988;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0107 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 AS FOLLOWS:**

2 **21 NCAC 14B .0107 FINAL DECISION**

3 Within 30 days of submission of the petition or at its next regularly scheduled meeting, whichever is later, the Board
4 will render a final decision. If the decision is to deny the petition, the chairman of the Board will notify the
5 petitioner in writing stating the reasons ~~therefor~~ therefore. If the decision is to grant the petition, the Board will
6 initiate a rule-making proceeding.

7

8 *History Note: Authority G.S. ~~150B-16~~; 150B-20; 88B-4;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

12 *13, 2015;*

13 *Readoption Eff. April 1, 2026.*

1 21 NCAC 14B .0201 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 SECTION .0200 - NOTICE
4

5 21 NCAC 14B .0201 NOTICE TO PUBLIC

6 Upon a determination to hold rule-making proceedings, either in response to a petition or otherwise, the Board will
7 give 30 **days notice of rule-making intent** by publication in the North Carolina Register.

8
9 *History Note: Authority G.S. ~~150B-12; 150B-16;~~ **150B-21.2; 88B-4;**
10 *Eff. February 1, 1976;*
11 *Amended Eff. January 1, 1989; April 1, 1988;*
12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*
14 *Readopted Eff. April 1, 2026.*
15*

1 21 NCAC 14B .0302 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3
4 21 NCAC 14B .0302 PROCEDURE FOR MAKING ORAL PRESENTATION AT HEARING

5 (a) A person desiring to make an oral presentation on a proposed rule or amendment to a rule at a rule-making
6 hearing ~~must file~~ shall submit a request to make a presentation with the chairman of the Board, at the Board's
7 address, at least 15 days before the hearing. The presiding officer at the hearing may, however, waive or
8 excuse a person's failure to give this notice for good ~~reason-~~ cause.

9 (b) A request to make an oral presentation ~~must~~ shall contain a brief summary of the subject on which the
10 individual desires to speak and an estimation of the length of time needed. An oral presentation ~~may~~ shall not
11 exceed ~~five~~ 5 minutes unless the presiding officer, either before or at the hearing, grants an extension of time
12 for good ~~reason-~~ cause.

13 (c) A person who makes an oral presentation at a rule-making hearing is ~~encouraged~~ may to submit a written
14 copy of the presentation to the Board either before or at the hearing.

15

16 *History Note: Authority G.S. ~~150B-11(1); 150B-12;~~ 150B-21.2; 88B-4;*

17 *Eff. February 1, 1976;*

18 *Amended Eff. January 1, 1989; April 1, 1988;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
20 *13, 2015;*

21 *Readoption Eff. April 1, 2026.*

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes
Attachments: 21 ncac 14c .0903.doc; 21 ncac 14c .0904.doc; 21 ncac 14c .0906.doc; 21 ncac 14c .0907.doc; 21 ncac 14c .0908.doc; 21 ncac 14d .0101.doc; 21 ncac 14d .0103.doc; 21 ncac 14d .0104.doc; 21 ncac 14d .0105.doc; 21 ncac 14d .0302.doc; 21 ncac 14d .0303.doc; 21 ncac 14d .0305.doc; 21 ncac 14d .0306.doc; 21 ncac 14d .0307.doc; 21 ncac 14d .0308.doc; 21 ncac 14d .0309.doc; 21 ncac 14d .0310.doc; 21 ncac 14a .0101.doc; 21 ncac 14a .0104.doc; 21 ncac 14a .0401.doc; 21 ncac 14a .0402.doc; 21 ncac 14a .0403.doc; 21 ncac 14a .0404.doc; 21 ncac 14b .0101.doc; 21 ncac 14b .0102.doc; 21 ncac 14b .0105.doc; 21 ncac 14b .0107.doc; 21 ncac 14b .0201.doc; 21 ncac 14b .0302.doc; 21 ncac 14b .0304.doc; 21 ncac 14b .0305.doc; 21 ncac 14b .0306.doc; 21 ncac 14b .0307.doc; 21 ncac 14b .0308.doc; 21 ncac 14b .0309.doc; 21 ncac 14b .0501.doc; 21 ncac 14b .0502.doc; 21 ncac 14b .0503.doc; 21 ncac 14b .0505.doc; 21 ncac 14b .0506.doc; 21 ncac 14b .0601.doc; 21 ncac 14b .0603.doc; 21 ncac 14b .0605.doc; 21 ncac 14b .0608.doc; 21 ncac 14c .0101.doc; 21 ncac 14c .0103.doc; 21 ncac 14c .0201.doc; 21 ncac 14c .0203.doc; 21 ncac 14c .0204.doc; 21 ncac 14c .0205.doc; 21 ncac 14c .0503.doc; 21 ncac 14c .0601.doc; 21 ncac 14c .0801.doc; 21 ncac 14c .0802.doc; 21 ncac 14c .0803.doc; 21 ncac 14c .0804.doc; 21 ncac 14c .0805.doc; 21 ncac 14c .0807.doc; 21 ncac 14c .0808.doc

From: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Sent: Monday, March 2, 2026 10:28 AM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good Morning,

I have attached our technical changes. Thank you for all your help with these.

Stefanie Kuzdrall, MPA
Business Director
NC Board of Cosmetic Art Examiners
121 Edinburgh South Drive, Suite 209
Cary, NC 27511
919-736-6123 ext 8

1 21 NCAC 14B .0304 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3
4 21 NCAC 14B .0304 ACKNOWLEDGEMENT OF A REQUEST TO MAKE AN ORAL
5 PRESENTATION

6 Upon receipt of a request to make an oral presentation at a rule-making hearing, the chairman **of the Board**
7 ~~must~~ **shall** acknowledge receipt of the request and inform the person requesting time for an oral presentation of
8 ~~the imposition of~~ any limitations deemed necessary to ~~the end of~~ **conduct** a full and effective public hearing on
9 the proposed rule or amendment.

10

11 *History Note: Authority G.S. ~~150B-11(1); 150B-21.2; 88B-4;~~*

12 *Eff. February 1, 1976;*

13 *Amended Eff. January 1, 1989;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
15 *13, 2015;*

16 *Readoption Eff. April 1, 2026.*

1 **21 NCAC 14B .0305 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0305 WRITTEN STATEMENT**

4 (a) Any person may file a written statement containing data, comments, or arguments in support of or in
5 opposition to a proposed rule or rule change. Such statements may be filed before, during, or ~~for five~~ **up to 5**
6 days after the hearing by delivering the statement by mail or in person to the chairman of the Board, at the
7 Board's mailing address.

8 (b) An extension of time for filing written statements may be granted either in the notice of the particular
9 rule-making hearing or by the presiding officer of the hearing.

10 (c) All such submitted statements ~~should~~ **shall** clearly state the rule or proposed rule to which the comments
11 are addressed.

12

13 *History Note: Authority G.S. ~~150B-11(1); 150B-12;~~ **150B-21.2; 88B-4;***

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989; April 1, 1988;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0306 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14B .0306 ACKNOWLEDGEMENT

4 Acknowledgement of all written comments received by the Board will be issued by the Chairman of the ~~North~~
5 ~~Carolina State Board of Cosmetic Art Examiners.~~ Board during the Board's meeting in which the rule is
6 reviewed prior to voting for submission to RRC.

7

8 *History Note:* Authority G.S. ~~150B-11(1);~~ 150B-21.2; 88B-4;

9 *Eff. February 1, 1976;*

10 *Amended Eff. April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0307 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0307 CONTROL OF HEARINGS**

4 (a) ~~Purpose.~~ The purpose of this Rule is to provide uniform procedures for the conduct of public comment
5 hearings.

6 (b) The presiding officer at the hearings shall have control of the proceedings including the following:

- 7 (1) extension of any time requirements,
- 8 (2) recognition of speakers,
- 9 (3) time allotment for presentations, and
- 10 (4) direction of the flow of discussion and the management of the hearing.

11 (c) The presiding officer ~~at all times shall take care~~ **ensure** that each person participating in the hearing is given an
12 opportunity to present views, ~~data~~ **data**, and comments.

13 (d) Public comment hearings shall be open to the public, and members of the public shall be entitled to testify,
14 subject to the provisions of this Rule.

15 (e) Public comment ~~hearing~~ **hearings** shall be open to print and electronic media, ~~subject to the following limitations~~
16 by the ~~board~~, **Board**, or the person designated by the ~~board~~ **Board** to preside over the hearing, when such pooling are
17 necessary **due to room occupancy restrictions** to allow the hearing to go ~~forward~~: **forward subject to the following**
18 **limitations:**

- 19 (1) Pooling of the number of media representatives when their number and ~~equipment~~ **equipment**,
20 together with the number of members of the public ~~present~~ **present**, exceeds the capacity of the
21 hearing room;
- 22 (2) Limitation on the placement of cameras to specific locations within the hearing room; or
- 23 (3) Prohibition of interviews conducted within the hearing room during the hearing.

24 (f) Public comment hearings shall be presided over by the ~~board~~ **Board** or an individual knowledgeable in the
25 subject area of the proposed rules who has been designated by the chairman to preside over the hearing.

26 (g) The person presiding over the hearing shall:

- 27 (1) Call the hearing to order;
- 28 (2) Identify the proposed rules which are the subject matter of the hearing, and provide copies of them
29 upon request;
- 30 (3) Cause a recording of the hearing to be made;
- 31 (4) Establish speaker time limits;
- 32 (5) Recognize those who wish to be heard;
- 33 (6) If necessary, refuse to recognize people for speaking, or revoke recognition of speakers;
- 34 (7) If necessary, limit the activity of the media;
- 35 (8) If necessary, continue or move the hearing; and
- 36 (9) Adjourn or continue the hearing.

37 (h) The hearing shall be continued when:

- 38 (1) The weather is so inclement that ~~it is reasonable to conclude that people wishing to attend the~~ **the**
39 **chairman or the individual designated by the chairman to preside over the hearing** ~~are~~ **is** unable to
40 do so;
- 41 (2) The chairman or the individual designated by the chairman to preside over the hearing is ill or
42 unavoidably absent; or
- 43 (3) Continuing the hearing will facilitate greater participation by the public.
- 44 (i) The hearing may be moved to another location when the original location is not able to accommodate the
45 number of people who wish to attend the hearing.
- 46 (j) The hearing shall be continued past the scheduled time or to another date when:
- 47 (1) The time available is not sufficient to give each person who wishes to speak a reasonable
48 opportunity to do so; or
- 49 (2) The capacity of the room in which the hearing is to be held does not accommodate the number of
50 people who wish to attend the hearing and it is not possible to move the hearing to another
51 location.
- 52 (k) People who wish to speak about the rules which are the subject matter of the hearing shall be asked to write on
53 the speaker's list their full names and if they represent other persons, the identity of the persons represented.
- 54 (l) People who wish to speak shall be asked to provide the information called for by Paragraph (k) of this Rule no
55 later than before the last speaker on the list has finished speaking.
- 56 (m) People whose names appear on the speaker's list shall be afforded an opportunity to speak at the hearing within
57 the limits on public participation.
- 58 (n) Written comments must be submitted by the deadline listed in the rule making notice.
- 59 (o) The person presiding over the hearing shall:
- 60 (1) Refuse to recognize for speaking or revoke the recognition of any person who:
61 (A) Speaks or acts in an abusive or disruptive manner; or
62 (B) Refuses to keep comments relevant to the proposed rules which are the subject matter of
63 the hearing;
- 64 (2) Limit the duration of the hearing and limit the amount of time each speaker may speak to a time
65 which allocates approximately equal speaking time to each person shown on the speaker's list as
66 wishing to speak; and
- 67 (3) Limit presentations on behalf of the same organization or entity to no more than three, provided
68 that all those representing such organization or entity may enter their names and addresses into the
69 record as supporting the position of the organization or entity.

70
71 *History Note: Authority G.S. 88B-4; 143-318.4; 150B-21.2;*
72 *Eff. February 1, 1976;*
73 *Amended Eff. April 1, 2012;*

74

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;

75

76

Readopted Eff. April 1, 2026.

1 **21 NCAC 14B .0308 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0308 REQUEST FOR STATEMENT ON ADOPTED RULE**

4 Any person or agency desiring a concise statement of the principal reasons for and against the adoption of a
5 rule by the Board and the factors that led to sustaining or overruling the considerations urged for or against its
6 adoption may submit a request in writing to the chairman of the Board at the Board's address. Such requests
7 may be submitted either prior to the rule-making hearing or within 30 days thereafter.

8

9 *History Note: Authority G.S. ~~150B-11(1); 150B-12(e); 150B-21.2; 88B-4;~~*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989; April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0309 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0309 RECORDS**

4 (a) A record of all rule-making proceedings will be maintained as long as the rule is in effect and for five
5 years thereafter. This record will contain the following:

- 6 (1) the original petition, if any;
- 7 (2) the ~~notice;~~ **notice of text;**
- 8 (3) all written memoranda and information ~~submitted;~~ **submitted by the rule-making coordinator;**
- 9 (4) a record or summary of oral presentations, if any; and
- 10 (5) any statement of reasons for and against adoption of a rule issued by the Board.

11 (b) The record will be maintained in a **paper or an electronic** file at the Board's address.

12

13 *History Note: Authority G.S. ~~150B-11(4);~~ **150B-21.2(i); 88B-4;***

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989; April 1, 1988;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0501 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **SECTION .0500 - DECLARATORY RULINGS**

4
5 **21 NCAC 14B .0501 REQUEST FOR DECLARATORY RULING**

6 Any person ~~substantially~~ affected by a statute administered or rule promulgated by the Board may request a
7 declaratory ruling as to how the statute or rule applies to a given factual situation or whether a particular ~~board~~
8 **Board** rule is valid. All requests for declaratory rulings must be in writing and mailed to the chairman of the
9 Board at the Board's address.

10

11 *History Note: Authority G.S. ~~150B-17~~; **150B-4**;*

12 *Eff. February 1, 1976;*

13 *Amended Eff. January 1, 1989; April 1, 1988;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
15 *13, 2015;*

16 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0502 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14B .0502 CONTENTS OF REQUEST

4 All requests for a declaratory ruling ~~must~~ shall include the following information:

- 5 (1) name and address of petitioner;
- 6 (2) statute or rule to which the petition relates;
- 7 (3) concise statement of the manner in which the petitioner is aggrieved, or thinks that he or she
8 may be is aggrieved by the rule or statute statute, and its application to him; him or her; and
- 9 (4) statement of whether an oral hearing is desired and being requested and, if so, the reasons
10 therefor. therefore.

11

12 *History Note: Authority G.S. 150B-17; 150B-4;*

13 *Eff. February 1, 1976;*

14 *Amended Eff. January 1, 1989;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
16 *13, 2015;*

17 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0503 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0503 REFUSAL TO ISSUE DECLARATORY RULING**

4 Whenever the Board believes for ~~good reason~~ **just cause as listed in 21 NCAC 14B .506** that the issuance of a
5 declaratory ruling is inappropriate, it may refuse to do so. When ~~good reason~~ **just cause** is deemed to exist, ~~the~~
6 **The** Board will notify the petitioner of its decision in writing stating **the** reasons for the denial of a declaratory
7 ruling.

8

9 *History Note: Authority G.S. ~~150B-17;~~ **150B-4;***

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989; April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0505 AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS FOLLOWS:**

2 **21 NCAC 14B .0505 PROCEDURE**

3 A declaratory ruling procedure ~~may~~ **shall** consist of written statements, **and** oral ~~hearings~~ and **hearings**, ~~or such~~
4 ~~other procedures as may be appropriate in a particular case.~~

5

6 *History Note: Authority G.S. ~~88-23; 150B-17;~~ **150B-4;***

7 *Eff. February 1, 1976;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
9 *13, 2015;*

10 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0506 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14B .0506 CIRCUMSTANCES

4 The Board may refuse to issue a declaratory ruling on the validity of a rule ~~if~~ for just cause for any of the
5 following reasons:

- 6 (1) ~~When the~~ The Board has already made a ~~controlling decision~~ declaratory ruling on
7 substantially similar facts in a contested case; or
8 (2) ~~When the~~ The facts underlying the request for a ruling were specifically considered at the
9 time of the adoption of the rule in question; ~~and~~ or
10 (3) ~~When the~~ The subject matter of the request is involved in pending litigation in North
11 Carolina.

12

13 *History Note: Authority G.S. ~~150B-17;~~ 150B-4;*

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0601 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **SECTION .0600 - FEES**

4
5 **21 NCAC 14B .0601 COPYING CHARGES**

6 The Board may charge a ~~small fee~~ **fee of fifteen dollars (\$15.00)** for providing copies of its rules, Chapter 88 of the
7 North Carolina General Statutes, and other public documents in its possession.

8
9 *History Note: Authority G.S. 12-3.1; ~~150B-11(1); 150B-19(5); 88B-4;~~*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0603 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0603 POSTAGE AND HANDLING**

4 There will be a five dollar (\$5.00) charge for postage and handling for all mailings.

5

6 *History Note: Authority G.S. 12-3.1; ~~150B-11(1)~~; **150B-19.5; 88B-4;***

7 *Eff. December 1, 1990;*

8 *Temporary Amendment Eff. December 1, 2001;*

9 *Amended Eff. August 1, 2002;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14B .0605 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14B .0605 COSMETOLOGIST LICENSE FEE AND STAGGERED LICENSE RENEWAL**
4 **SCHEDULE**

5 (a) All cosmetology licenses expiring on and after October 1, 2013 shall pay the renewal fee of thirty-nine dollars
6 (~~\$39.00~~), **(\$39.00) as required by G.S. 88B-20** and complete 24 hours of continuing education as required by G.S.
7 88B-21 to be eligible for license renewal.

8 (b) Upon renewal of ~~the a~~ license expiring October 1, ~~2010~~ **2010**, the Board shall issue a new license with staggered
9 expiration dates. Licensees shall be divided into renewal groups by first digit of license number and shall pay
10 prorated fees for renewal as follows:

11

License Number (first digit in number)	Staggered Expiration Date	Fees/CE Hours Due
3, 4 or 5	October 1, 2011	\$13/0 hours
6 or 7	October 1, 2012	\$26/12 hours
0, 1, 2, 8 or 9	October 1, 2013	\$39/24 hours

12

13 *History Note: Authority G.S. 88B-20; 88B-21;*

14 *Eff. August 1, 1998;*

15 *Amended Eff. August 1, 2010;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14B .0608 IS READOPTED AS PUBLISHED IN 40:06 NCR 566 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14B .0608 COMPLAINTS

4
5 (a) ~~Any person may file a~~ **The Board may accept any** complaint alleging violation of the Cosmetic Art Act or this
6 Chapter ~~with the Board~~ for investigation and disciplinary action per G.S. 88B-24.

7 (b) The complaint shall be filed in writing with the Board. Complaints will be accepted by ~~fax, mail, email,~~ through
8 the Board's online complaint form at ~~www.nccosmeticarts.com or delivered in office.~~ **www.nccosmeticarts.com.**

9 Upon receipt of a complaint, Board staff shall review the content for jurisdiction and when finding authority under
10 G.S. 88B ~~or this Chapter~~ assign the complaint for investigation. Complaints received alleging violation outside the
11 jurisdictional authority of the Board shall be forwarded to the appropriate agency and the complainant notified, if
12 contact information is provided by the complainant.

13 (c) The Board shall notify the complainant and the respondent in any complaint filed with the Board of the
14 disposition of the case.

15 *History Note: Authority G.S. 88B-4;*
16 *Eff. December 1, 2016*
17 *Readopted Eff. April 1,*
18 *2026;*

1 **21 NCAC 14C .0101 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **SUBCHAPTER 14C - CONTESTED CASES**

4
5 **SECTION .0100 - GENERAL RULES**

6
7 **21 NCAC 14C .0101 ADMINISTRATIVE HEARINGS**

8 Whenever the Board proposes to deny, revoke, or suspend a license, permit, certificate of registration, or letter of
9 approval issued by it, or at any other time when it deems a hearing legally required, it ~~must~~ **shall** give notice to the
10 person affected of the Board's proposed action and the person's right to a hearing. The person may request a hearing
11 by mailing or delivering to the Board a written request for a hearing. The Board will take the proposed action
12 described in the notice unless it receives a request for a hearing prior to the date on which the Board proposes to act
13 or the date specified in the notice. A request mailed to the Board is deemed timely if postmarked prior to the date on
14 which the Board proposes to act or the date specified in the notice.

15
16 *History Note: Authority G.S. 150B-38(h); 150B-40;*

17 *Eff. February 1, 1976;*

18 *Amended Eff. January 1, 1989; April 1, 1988;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
20 *13, 2015;*

21 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0103 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0103 PRESIDING OFFICER**

4 If no other presiding officer has been designated by the Board, or if the designated presiding officer is unavailable or
5 disqualifies ~~himself,~~ **themselves,** the chairman of the Board shall act as presiding officer for purposes of issuing
6 subpoenas, ordering the production of records, responding to motions for continuances or extensions of time,
7 controlling and ruling on issues surrounding discovery, and otherwise acting on matters arising in connection with a
8 pending hearing and shall have all powers granted to the presiding officer under ~~Article 3A of Chapter 150B of the~~
9 ~~North Carolina General Statutes.~~ **GS 150B-40.**

10

11 *History Note: Authority G.S. 150B-38(h); 150B-40(b);*

12 *Eff. April 1, 1988;*

13 *Amended Eff. January 1, 1989;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
15 *13, 2015;*

16 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14C .0201 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 SECTION .0200 - REQUEST FOR A HEARING
4

5 21 NCAC 14C .0201 REQUEST

6 When any person believes his their rights, ~~duties~~ duties, or privileges have been affected by administrative action of
7 the Board, ~~he~~ they may request an administrative hearing.
8

9 *History Note:* Authority G.S. ~~150B-2;~~ 150B-22; 150B-38(h);

10 *Eff. February 1, 1976;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0203 IS READOPTED AS PUBLISHED IN 40:06 NCR 56 7WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0203 WRITTEN REQUEST**

4 Following such an informal contact with the Board ~~as set out in 21 NCAC 14C .0202~~, if still dissatisfied, one may
5 file a written request for an administrative hearing with the chairman of the Board at its address.

6
7 *History Note: Authority G.S. 150B-38; 93B-1.2; 88B-4;*

8 *Eff. February 1, 1976;*

9 *Amended Eff. January 1, 1989;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0204 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0204 CONTENTS OF REQUEST**

4 A written request for an administrative hearing ~~must~~ **shall** contain the following information:

- 5 (1) name and address of petitioner,
- 6 (2) a concise statement of the Board action being challenged,
- 7 (3) a concise statement of the way in which the petitioner has been aggrieved, and
- 8 (4) a clear and specific demand for a hearing.

9
10 *History Note: Authority G.S. 150B-38; **88B-4**;*

11 *Eff. February 1, 1976;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0205 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0205 ACKNOWLEDGEMENT**

4 Requests for administrative hearings must be promptly acknowledged **in writing** by the Board **within 30 days**
5 and, if the person making the request is a person aggrieved, a hearing must be scheduled within a reasonable
6 amount of time.

7

8 *History Note: Authority G.S. 150B-38; **88B-4**;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0503 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS FOLLOWS:**

2 **21 NCAC 14C .0503 ADDITIONAL INFORMATION ON NOTICES OF HEARINGS**

3 In addition to the items specified in ~~North Carolina General Statutes~~ **G.S.** 150B-38(b) to be included in the
4 notice, notices of administrative hearings ~~must~~ **shall** include the following information:

- 5 (1) the name, position, address and phone number of a member, employee, or agent of the Board
6 to contact for further information or discussion;
- 7 (2) the date and place for any prehearing conference;
- 8 (3) the right to file a written response to the allegations in the notice of hearing no later than ten
9 days prior to the scheduled hearing date; and
- 10 (4) other information deemed relevant to informing the party or parties as to the procedure for the
11 hearing.

12 *History Note: Authority G.S. 150B-38; 88B-4;*
13 *Eff. February 1, 1976;*
14 *Amended Eff. January 1, 1989; September 1, 1988;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
16 *13, 2015;*
17 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14C .0801 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3
4 SECTION .0800 - INTERVENTION

5
6 21 NCAC 14C .0801 INTERVENTION OF RIGHT

7 A motion to intervene of right as provided for in the North Carolina Rules of Civil Procedure, G.S. 1A-1 Rule
8 24, ~~must~~ shall be granted if timely and the petitioner meets the criteria of ~~that rule.~~ Rule 24. For the purposes
9 of intervention, Moving to intervene any time prior to the designated hearing's termination must be considered
10 timely unless a grant of the right to intervene would cause substantial prejudice to the rights of a party,
11 substantial added expense, or compellingly serious inconvenience to the parties.

12
13 *History Note:* Authority G.S. ~~150B-38;~~ 150B-38(f);

14 *Eff. February 1, 1976;*

15 *Amended Eff. January 1, 1989;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*

17 *January 13, 2015;*

18 *Readopted Eff. April 1, 2026.*

19
20

1 **21 NCAC 14C .0802 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3

4 **21 NCAC 14C .0802 PERMISSIVE INTERVENTION**

5 A motion to intervene permissively as provided for in ~~North Carolina Rules of Civil Procedure, G.S. 1A-1~~
6 Rule 24, ~~must~~ **shall** be granted if the petitioner meets the criteria of ~~that rule~~ **Rule 24** and the Board determines
7 that:

- 8 (1) There is sufficient legal or factual similarity between the petitioner's rights, privileges, or
9 duties and those of the other parties to the hearing; and
10 (2) Permitting intervention by the petitioner as a party would aid the purposes of the hearing.

11

12 *History Note: Authority G.S. ~~150B-38~~; **150B-38(f)**;*
13 *Eff. February 1, 1976;*
14 *Amended Eff. January 1, 1989;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*
16 *January 13, 2015;*
17 *Readopted Eff. April 1, 2026.*

18

19

1 **21 NCAC 14C .0803 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3

4 **21 NCAC 14C .0803 DISCRETIONARY INTERVENTION**

5 Discretionary intervention ~~must~~ **shall** be allowed by the Board upon a motion made before the termination of
6 the hearing itself when the Board finds intervention would be helpful to a determination of the issues in the
7 hearing.

8

9 *History Note: Authority G.S. ~~150B-38~~; **150B-38(f)**;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*

13 *January 13, 2015;*

14 *Readopted Eff. April 1, 2026.*

15

16

1 21 NCAC 14C .0804 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3

4 21 NCAC 14C .0804 ~~ADVISABILITY~~ INTERVENTION

5 Discretionary intervention will be ~~deemed advisable~~ when:

6 (1) The information the petitioner desires to present is relevant and not repetitious or merely
7 cumulative; and

8 (2) The petitioner would lend added ~~impact~~ facts to arguments of the parties.

9

10 *History Note: Authority G.S. ~~150B-38~~; 150B-38(f);*
11 *Eff. February 1, 1976;*
12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*
13 *January 13, 2015;*
14 *Readopted Eff. April 1, 2026.*

15

1 **21 NCAC 14C .0805 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3

4 **21 NCAC 14C .0805 WRITTEN MOTION**

5 A person desiring to intervene in a contested case ~~must~~ **shall** file a written motion with the chairman of the
6 Board at the Board's address.

7

8 *History Note: Authority G.S. ~~150B-38~~; **150B-38(f)***

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*

12 *January 13, 2015;*

13 *Readopted Eff. April 1, 2026.*

14

1 **21 NCAC 14C .0807 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0807 ALLOWANCE**

4 If the Board decides to allow intervention, notification of that decision will be issued promptly in writing
5 within 30 days to all parties including the movant. In cases of discretionary ~~intervention~~ intervention, such
6 notification ~~will~~ must include a statement of the limitations, if any, of time, subject matter, ~~evidence~~ evidence,
7 or any other matters deemed necessary by the Board which are imposed upon the intervenor.

8

9 *History Note: Authority G.S. ~~150B-38~~; 150B-38(f)*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0808 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0808 DENIAL**

4 If the Board decides to deny intervention, the movant ~~must~~ **shall** be notified ~~promptly in writing,~~ **in writing**
5 **within 30 days.** The notification must state the reasons for the decision and must be issued to the movant and
6 to all parties.

7

8 *History Note: Authority G.S. ~~150B-28;~~ **150B-38;***

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0903 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0903 BIAS OF BOARD MEMBER**

4 If for any reason a board member determines that personal bias or other factors would keep that member from
5 being able to hear a contested case and perform all duties concerning the hearing in an impartial manner, that
6 member shall submit in writing to the Board his or her disqualifications and the reasons ~~therefor~~ **therefore**.

7

8 *History Note: Authority G.S. 150B-38(h); 150B-40;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0904 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0904 BIAS CLAIMED BY PARTY**

4 If ~~for any reason~~ any party in a contested case believes that a board member is personally biased or otherwise
5 unable to conduct the hearing and perform all duties in an impartial manner, the party may file with the Board
6 a sworn notarized affidavit stating the reasons for such belief and all relevant facts.

7

8 *History Note: Authority G.S. ~~150B-38(8)~~; **150B-38(h)**; 150B-40;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0906 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0906 FILING AFFIDAVIT**

4 An affidavit of disqualification will **to disqualify a board member shall** be considered timely if **it was** filed at
5 least ten days prior to the scheduled hearing date. Any other affidavit may be found timely provided it is filed
6 at the first opportunity after the party becomes aware of **the** facts which give rise to a reasonable belief that any
7 board member may be disqualified.

8

9 *History Note: Authority G.S. 150B-38(h); 150B-40;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
13 *13, 2015;*

14 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14C .0907 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14C .0907 DISQUALIFICATION

4 The remainder of the members of the ~~board~~ **Board** shall decide whether to disqualify the ~~person~~ **board member**
5 being challenged by the following procedural rules:

6 (1) The ~~person~~ **board member** whose disqualification is to be determined will not participate in
7 the decision but may be called upon to furnish information to the remaining members of the
8 Board conducting the hearing.

9 (2) The Board shall appoint a member of the ~~Board~~ **Board**, ~~or the executive secretary director,~~ or
10 any other appropriate person to investigate the allegations of the affidavit, if ~~necessary~~
11 **necessary**, and report his or her findings or recommendations.

12 (3) The Board shall decide **by majority vote, or Board Chair in case of a tie vote**, whether to
13 disqualify the challenged individual on the basis of all relevant and appropriate information
14 available to it.

15

16 *History Note: Authority G.S. 150B-38(h); 150B-40;*

17 *Eff. February 1, 1976;*

18 *Amended Eff. January 1, 1989; April 1, 1988;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
20 *13, 2015;*

21 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14C .0908 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14C .0908 NEW HEARING**

4 When a board member is disqualified after ~~the~~ **a** hearing has begun, a new hearing ~~must~~ **shall** be initiated upon
5 **request.** ~~request if any party would be prejudiced by the denial of the request.~~

6
7

8 *History Note: Authority G.S. 150B-38(h); 150B-40;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; April 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0101 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **SUBCHAPTER 14D - CONDUCT OF THE CONTESTED CASE**

4

5 **SECTION .0100 - FAILURE TO APPEAR**

6

7 **21 NCAC 14D .0101 PROCEEDING WITHOUT PARTY**

8 Should a party who has been served with notice fail to appear at a scheduled hearing without having previously been
9 granted a continuance, the Board may either proceed with the hearing in the party's absence, **or** continue the ~~hearing,~~
10 ~~or dismiss the proceeding.~~ **hearing.**

11

12 *History Note: Authority G.S. **150B-38(c)**; 150B-38(h); 150B-40;*

13 *Eff. February 1, 1976;*

14 *Amended Eff. January 1, 1989; April 1, 1988;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
16 *13, 2015;*

17 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14D .0103 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14D .0103 CONTINUANCES

4 A continuance will ~~will~~ shall be granted to ~~a party~~ all parties only ~~in compelling circumstances.~~ upon showing of good
5 cause. ~~Usually only one such postponement will be allowed.~~ In determining whether to grant such motions, the
6 Board shall consider the Guidelines for Resolving Scheduling Conflicts adopted by the State-Federal Judicial
7 Council of North Carolina. Motions for a continuance must be in writing and received in the office of the Board no
8 less than 14 calendar days before the hearing date. A motion for a continuance filed less than 14 calendar days from
9 the date of the hearing shall be denied unless the reason for the motion could not have been ascertained earlier.
10 Motions for continuance shall be ruled on by the Board chair or designated presiding officer.

11
12 *History Note: Authority G.S. 150B-38(h); 150B-40;*
13 *Eff. February 1, 1976;*
14 *Amended Eff. January 1, 1989; April 1, 1988;*
15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
16 *13, 2015;*
17 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0104 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0104 PETITION TO REOPEN**

4 (a) If a hearing is conducted and if a decision is reached in the absence of a party, the party may petition the Board
5 ~~for a reopening of~~ **to reopen** the case. Petitions will not be granted except when the petitioners show that the reason
6 for failure to appear was ~~justifiable and~~ unavoidable and that fairness and justice require ~~a reopening of~~ the case.

7 (b) All petitions ~~for reopening of~~ **to reopen** the case shall be in writing and addressed to the chairman of the Board
8 at ~~it's~~ **their** address, and shall contain the following information:

- 9 (1) the name and address of the petitioner,
10 (2) a full identification of the hearing which the petitioner is seeking to reopen, and
11 (3) a detailed explanation of the reasons for the petitioner's desire to reopen the hearing.

12
13 *History Note: Authority G.S. 150B-38;*
14 *Eff. February 1, 1976;*
15 *Amended Eff. January 1, 1989; April 1, 1988;*
16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*
18 *Readopted Eff. April 1, 2026.*

1 21 NCAC 14D .0105 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS
2 FOLLOWS:

3 21 NCAC 14D .0105 CRITERIA FOR REOPENING A CASE

4 The Board shall make a decision on whether to reopen the petitioner's case based upon the merits of the petition or
5 other pertinent information in the Board's possession. In determining whether to grant such motions, the Board shall
6 consider the Guidelines for Resolving Scheduling Conflicts adopted by the State-Federal Judicial Council of North
7 Carolina. Motions to reopen must be in writing and received in the office of the Board no less than 14 calendar days
8 before the hearing date. A motion to reopen filed less than 14 calendar days from the date of the hearing shall be
9 denied unless the reason for the motion could not have been ascertained earlier. Motions for continuance shall be
10 ruled on by the Board chair or designated presiding officer. A copy of the decision will be sent to the petitioner and
11 made a part of the permanent record of the contested case.

12

13 *History Note: Authority G.S. 150B-38;*

14 *Eff. February 1, 1976;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
16 *13, 2015;*

17 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0302 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0302 ISSUANCE**

4 Subpoenas requiring the attendance of witnesses or ~~those~~ to produce documents, evidence or things must be issued
5 by the chairman of the Board or his **their** agent within three business days of the receipt of a request from a party to
6 a contested case.

7

8 *History Note: Authority G.S. 150B-38(h); 150B-39;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. January 1, 1989; August 1, 1988;*

11 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
12 *13, 2015;*

13 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0303 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0303 SERVICE OF SUBPOENAS**

4 (a) Subpoenas ~~may~~ shall be served in any manner provided by law. **G.S.1A-1, Rule 45.**

5 (b) Subpoenas shall be issued in duplicate with a "Return of Service" form attached to each copy. The person
6 serving the subpoena shall fill out the "Return of Service" form for each copy and ~~promptly~~ **upon service** return one
7 copy of the subpoena with the attached "Return of Service" form completed to the Board.

8

9 *History Note: Authority G.S. 150B-27;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. January 1, 1989; April 1, 1988;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

13 *13, 2015*

14 *Readopted April 1, 2026.*

1 **21 NCAC 14D .0305 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0305 OBJECTIONS**

4 Any person receiving a subpoena may object ~~thereto~~ by filing a written objection with the Board.

5

6 *History Note: Authority G.S. 150B-38(h); ~~150B-39~~; **150B-39(c)***

7 *Eff. February 1, 1976;*

8 *Amended Eff. January 1, 1989; April 1, 1988;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
10 *13, 2015;*

11 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0306 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0306 STATEMENT OF REASONS**

4 An objection to a subpoena ~~must~~ **shall** include a ~~concise but~~ complete statement of reasons why the subpoena
5 should be ~~revoked or modified.~~ **quashed.** These reasons may include lack of relevancy of the evidence
6 requested, lack of particularity in the description of the evidence sought, or any other **legal** reason ~~sufficient in~~
7 ~~law for holding~~ **declaring** the subpoena invalid, such as that the evidence is privileged or that appearance or
8 production would be so disruptive as to be unreasonable in light of the significance of the evidence sought or
9 would produce some other undue ~~hardship.~~ **hardship to the party.**

10
11 *History Note:* *Authority G.S. 150B-38(h); ~~150B-39;~~ **150B-39(c);***
12 *Eff. February 1, 1976;*
13 *Amended Eff. January 1, 1989;*
14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff.*
15 *January 13, 2015;*
16 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0307 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0307 SERVICE OF OBJECTIONS**

4 Any objections to a subpoena filed with the Board ~~must~~ **shall** be simultaneously served on the party requesting the
5 subpoena.

6
7 *History Note: Authority G.S. 150B-38(h); ~~150B-39~~; **150B-39(c)**;*

8 *Eff. February 1, 1976;*

9 *Amended Eff. January 1, 1989;*

10 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
11 *13, 2015;*

12 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0308 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0308 RESPONSES TO OBJECTIONS**

4 The party requesting the subpoena, within 10 ~~days~~, **days of service of the subpoena** may file a written response to
5 the objection. The response shall be served in like manner as the objection.

6
7 *History Note: Authority G.S. 150B-38(h); ~~150B-39~~; 150B-39(c);*

8 *Eff. February 1, 1976;*

9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
10 *13, 2015;*

11 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14D .0309 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0309 HEARINGS ON SUBPOENA CHALLENGES**

4 After receipt of the objection and a response thereto, if any, the hearing board panel or the presiding officer shall
5 issue a notice of hearing to the party who requested the subpoena and the party challenging ~~it~~ it and may notify all
6 other parties of a hearing before the Board to be scheduled within ~~a reasonable time~~ 1 year at which hearing
7 evidence and testimony may be presented by all parties limited to the questions raised by the subpoena, the
8 objection, and subsequent responses thereto.

9

10 *History Note: Authority G.S. ~~88-23~~; 150B-25; 150B-39;*

11 *Eff. February 1, 1976;*

12 *Amended Eff. April 1, 1988;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

14 *13, 2015; April 1, 2026.*

15

1 **21 NCAC 14D .0310 IS READOPTED AS PUBLISHED IN 40:06 NCR 567 WITH CHANGES AS**
2 **FOLLOWS:**

3 **21 NCAC 14D .0310 RULINGS**

4 ~~Promptly~~ **Within 30 days** after the close of any hearing on an objection to a subpoena, the Board will issue a written
5 decision. Based on the evidence presented and the record, the Board may revoke or modify the subpoena for good
6 cause, based on such issues as oppressiveness, relevancy, and other appropriate factors, or may overrule the
7 objection to the subpoena. A written copy of the decision will be served on the person objecting to the subpoena
8 and all parties to the hearing.

9

10 *History Note: Authority G.S. 150B-38(h); 150B-39;*

11 *Eff. February 1, 1976;*

12 *Amended Eff. January 1, 1989; April 1, 1988;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
14 *13, 2015;*

15 *Readopted Eff. April 1, 2026.*

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Friday, February 27, 2026 3:55 PM
To: Kuzdrall, Stefanie S <skuzdrall@nccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

Good afternoon,

Yes, this helps. I will be on the lookout for the technical changes next week.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Sent: Friday, February 27, 2026 3:52 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

You don't often get email from skuzdrall@nccosmeticarts.com. [Learn why this is important](#)

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Thanks so much, I'm working on finishing up the technical changes to get them to you early next week.

Does this information and link help regarding the posting?

We do have our rules notice posted and we haven't removed it from our website since it went up over the summer. On the [Rules and Regulations page](#) of our website we have this text:

Update - Rules Public Comment August 2025 - All rules are open to public comment during the review, comments will be accepted through November 17, 2025 at 4:00pm via email to skuzdrall@nccosmeticarts.com or letter to 121 Edinburgh South Drive Suite 209 Cary, NC 27511 . Here is a link to the Board rules preliminary review sheet: [Rules](#)

The link goes to the file with the Notice of Text and Rules.

Stefanie Kuzdrall, MPA
Business Director
NC Board of Cosmetic Art Examiners
121 Edinburgh South Drive Suite 209
Cary, NC 27511
919-736-6123 ext 8
919-678-3012 (f)
www.nccosmeticarts.com
nccosmo@nccosmeticarts.com

Burgos, Alexander N

Subject: FW: [External] RE: RRC Meeting March 2026-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Tuesday, February 24, 2026 2:54 PM
To: Kuzdrall, Stefanie S <skuzdrall@nccosmeticarts.com>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] RE: RRC Meeting March 2026-Request for Technical Changes

Yes, we had to divvy out the rules amongst staff because your agency submitted all your rules prior to the agreed upon deadline.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

From: Stefanie Kuzdrall <skuzdrall@nccosmeticarts.com>
Sent: Tuesday, February 24, 2026 2:37 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] RE: RRC Meeting March 2026-Request for Technical Changes

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Thank you for these! I have been working through the 60 pages of technical changes received but these only address rules in Chapters A-D. Is there another document containing technical changes for chapters G-T?

Also, we do have our rules notice posted and we haven't removed it from our website since it went up over the summer. On the [Rules and Regulations page](#) of our website we have this text:
Update - Rules Public Comment August 2025 - All rules are open to public comment during the review, comments will be accepted through November 17, 2025 at 4:00pm via email to skuzdrall@nccosmeticarts.com or letter to 121 Edinburgh South Drive Suite 209 Cary, NC 27511 . Here is a link to the Board rules preliminary review sheet: [Rules](#)
The link goes to the file with the Notice of Text and Rules.

Stefanie Kuzdrall, MPA
Business Director
NC Board of Cosmetic Art Examiners

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Burgos, Alexander N

From: Wiggs, Travis C
Sent: Thursday, February 19, 2026 12:29 PM
To: Kuzdrall, Stefanie S
Cc: Burgos, Alexander N
Subject: RRC Meeting March 2026-Request for Technical Changes
Attachments: 03_2026-Board of Cosmetic Art Examiners-Request for Technical Changes.docx

Good afternoon,

I'm the attorney who reviewed the rules submitted by the Board of Cosmetic Art Examiners for the March 2026 RRC meeting. The RRC will formally review these rules at its meeting on Thursday, March 26, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an evite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get evites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit the revised rules to me via email, no later than 5 p.m. on March 5, 2026. Let me know if you have any questions.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

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