

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

AGENCY: Board of Cosmetic Arts

RULE CITATION: All rules

DEADLINE FOR RECEIPT: March 19, 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:

Remove the name of the rule from the header in each rule.

Throughout the rules, you use "must". The RRC style guide recommends using "shall". Please go through these rules and replace "must" with "shall".

Note that I did not create a page for a rule if the only issues were those listed on this page, so check all rules.

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

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

AGENCY: Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14G .0103

DEADLINE FOR RECEIPT: March 19, 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:

On line 8, "the day and night classes ~~is~~ are counted".

On line 30, is the text starting "Schools combining manicuring..." meant to be a new paragraph (k)? Consider if that would ease readability.

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

Seth Ascher
Commission Counsel

Date submitted to agency: March 12, 2026

1 **21 NCAC 14G .0103 SPACE REQUIREMENTS IS READOPTED AS PUBLISHED IN 40:06 NCR 567**
2 **AS FOLLOWS:**

3 **21 NCAC 14G .0103 SPACE REQUIREMENTS**

4 (a) The Cosmetic Art Board shall issue letters of approval only to cosmetic art schools that have at least 2,800
5 square feet of inside floor space for 20 stations or 4,200 square feet of inside floor space for 30 stations located
6 within the same building. An additional 140 square feet of floor space is required for each station above 20 stations,
7 up to and including a total of 30 stations. Thereafter, an additional 40 square feet is required for each station in
8 excess of 30 stations. For purpose of this Rule, the day and night classes is counted as separate enrollments. A
9 school may have a recitation room located in an adjacent building or another building within 500 feet of the main
10 cosmetology building.

11 (b) Each cosmetic art school must have no less than 20 hairdressing stations, arranged to accommodate not less than
12 20 students and arranged so that the course of study and training cosmetology, as prescribed in 21 NCAC 14J .0306,
13 may be given. All stations must be numbered numerically.

14 (c) Cosmetic art schools must have a beginner department containing sufficient space to comfortably accommodate
15 at least 10 students and having at least 40 inches between mannequins.

16 (d) The Board shall issue a letter of approval only to manicurist schools that have at least 1,000 square feet of inside
17 floor space located within the same building.

18 (e) Manicurist schools with 1,000 square feet of inside floor space shall enroll no more than 20 students at one time,
19 and for each student enrolled in addition to 20 students, 40 square feet of inside floor space must be provided.

20 (f) Manicurist schools must have 10 manicurist tables and chairs a minimum of two feet apart, side to side, arranged
21 to comfortably accommodate ten students.

22 (g) The Board shall issue a letter of approval only to esthetician schools that have at least 1,500 square feet of inside
23 floor space located within the same building.

24 (h) Esthetician schools with 1,500 square feet of inside floor space shall enroll no more than 20 students at one
25 time, and for each student enrolled in addition to 20 students, 50 square feet of inside floor space must be provided.

26 (i) The Board shall issue a letter of approval only to natural hair care schools that have at least 2000 square feet of
27 inside floor space located within the same building.

28 (j) Natural hair care schools with 2000 square feet of inside floor space shall enroll no more than 20 students at one
29 time, and for each student enrolled in addition to 20 students, 50 square feet of inside floor space must be provided.
30 Schools combining manicuring, esthetics and natural hair care training programs with 2000 feet of inside floor space
31 shall enroll no more than a total of 20 students at one time and for each student enrolled in addition to 20 students,
32 50 square feet of inside floor space must be provided. Equipment requirements for manicuring, esthetics and natural
33 hair care schools shall be followed.

34
35 *History Note: Authority G.S. 88B-4;*

36 *Eff. February 1, 1976;*

37 *Amended Eff. April 1, 1995; January 1, 1992; May 1, 1991; January 1, 1989; May 1, 1998;*

38 *Temporary Amendment Eff. January 1, 1999;*
39 *Amended Eff. July 1, 2010; August 1, 2002; April 1, 2001; August 1, 2000;*
40 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
41 *13, 2015;*
42 *Readopted Eff. April 1, 2026.*

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

AGENCY: Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14G .0116

DEADLINE FOR RECEIPT: March 19, 2026

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

It is unclear to me what this rule means. Is this evaluation spelled out in some rule or statute? What are the consequences of re-evaluation? Are there limits to what can be re-evaluated?

That statutory authority for this rule appears to have expired.

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

1 **21 NCAC 14G .0116 RE-EVALUATION OF SCHOOLS IS READOPTED AS PUBLISHED IN 40:06**
2 **NCR 567 AS FOLLOWS:**

3 **21 NCAC 14G .0116 RE-EVALUATION OF SCHOOLS**

4 The Board reserves the authority to re-evaluate any cosmetic art school at any time.

5

6 *History Note: Authority G.S. 88-23; 88-30;*

7 *Eff. April 1, 1988;*

8 *Amended Eff. April 1, 1991; January 1, 1989;*

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.*

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

AGENCY: Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14H .0201

DEADLINE FOR RECEIPT: March 19, 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:

On line 7, for clarity consider replacing “may choose to” with “are not required to”.

On lines 9 and 12, replace “must” with “shall.”

As written, the interaction between paragraphs (b) and (d) is unclear. Adding language at the end of line 12 could clarify. Consider adding “as though it had been licensed after March 1, 2012” or “notwithstanding paragraph (b)”.

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

Seth Ascher
Commission Counsel

Date submitted to agency: March 12, 2026

1 **21 NCAC 14H .0201 APPLICATION FOR SHOP LICENSE IS READOPTED AS PUBLISHED IN**
2 **40:06 NCR 567 AS FOLLOWS:**

3 **SECTION .0200 - SHOP LICENSING AND PHYSICAL DIMENSIONS**

4
5 **21 NCAC 14H .0201 APPLICATION FOR SHOP LICENSE**

- 6 (a) Rules in this Subchapter apply to all cosmetic art shops making initial application to operate a cosmetic art shop.
7 (b) Shops licensed prior to March 1, 2012 may choose to comply with Rules .0202, .0203(c), .0204 and .0301 of
8 this Subchapter.
9 (c) Shops licensed prior to March 1, 2012 must comply with Rules .0201, .0203(a)-(b), .0302-.0304 and Sections
10 .0400 and .0500 of this Subchapter.
11 (d) Shops licensed prior to March 1, 2012 that make any structural changes that change the physical layout or
12 square footage must comply with all rules in this Subchapter.
13 (e) Persons desiring to open a cosmetic art shop, to change ownership of a cosmetic art shop, relocate or reopen a
14 shop shall make application to the North Carolina State Board of Cosmetic Art Examiner on the Board's application
15 form.

16
17 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-22;*

18 *Eff. April 1, 2012;*

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

21 *Amended Eff. April 1, 2023;*

22 *Readopted Eff. April 1, 2026.*

1 **21 NCAC 14H .0203 NEWLY ESTABLISHED SHOPS IS READOPTED AS PUBLISHED IN 40:06**
2 **NCR 567 AS FOLLOWS:**

3 **21 NCAC 14H .0203 NEWLY ESTABLISHED SHOPS**

4 (a) All cosmetic art shops shall be separate and apart from any building or room used for any other business or
5 purpose, separated by a solid wall of at least seven feet in height and must have a separate outside entrance.

6 (b) A newly established cosmetic art shop, shall be separate and apart from any building or room used for living,
7 dining or sleeping and shall be separate and apart from any other room used for any other purpose by a solid wall of
8 ceiling height, making separate and apart rooms used for a cosmetic art shop. All entrances to the cosmetic art shop
9 shall be through solid, full length doors installed in solid walls of ceiling height.

10 (c) A residential cosmetic art shop shall furnish bathroom facilities separate and apart from the residence.

11 (d) An entrance to a cosmetic art shop from a passageway, walkway, or mall area used only for access to the shop,
12 or to the shop and other businesses, may be open.

13

14 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14;*

15 *Eff. April 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. April 1, 2023;*

19 *Readopted Eff. April 1, 2026.*

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

AGENCY: Board of Cosmetic Arts

RULE CITATION: 21 NCAC 14H .0303

DEADLINE FOR RECEIPT: March 19, 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:

On line 4, "commode" is an archaic term. Consider replacing with "toilet".

As written, paragraph (b) doesn't do anything, since paragraph (a) appears to apply to all shops. You may mean something like "Shops with an initial licensure date prior to March 1, 2012, are not required to comply with Paragraph (a) of this rule."

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

1 **21 NCAC 14H .0303 BATHROOM FACILITIES IS READOPTED AS PUBLISHED IN 40:06 NCR 568**
2 **AS FOLLOWS:**

3 **21 NCAC 14H .0303 BATHROOM FACILITIES**

4 (a) Toilet and hand washing facilities consisting of at least one commode and one hand washing sink with running
5 water, liquid soap and individual clean towels or hand air dryer shall be accessible to each cosmetic art shop.

6 (b) Shops with an initial licensure date on or after March 1, 2012 shall have toilet and hand washing facilities in the
7 bathroom as required in Paragraph (a) of this Rule.

8

9 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14;*

10 *Eff. April 1, 2012;*

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, 2018; March 1, 2018;*

14 *Readopted Eff. April 1, 2026.*

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

AGENCY: Board of Cosmetic Arts

RULE CITATION: 21 NCAC 14H .0304

DEADLINE FOR RECEIPT: March 19, 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:

On line 4, who or what determines what equipment and supplies are needed to “safely perform” a particular service? As written, the requirements imposed by this rule are unclear.

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

1 **21 NCAC 14H .0304 EQUIPMENT IS READOPTED AS PUBLISHED IN 40:06 NCR 568 AS**
2 **FOLLOWS:**

3 **21 NCAC 14H .0304 EQUIPMENT**

4 Cosmetic art shops shall maintain equipment and supplies to safely perform any cosmetic art service offered in the
5 shop.

6
7 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14;*

8 *Eff. April 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.*

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

AGENCY: Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14H .0402

DEADLINE FOR RECEIPT: March 19, 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:

On line 4, the first sentence is unnecessary. The default is that all rules apply to those regulated unless otherwise stated.

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

Seth Ascher
Commission Counsel

Date submitted to agency: March 12, 2026

1 **21 NCAC 14H .0402 COSMETIC ART SHOPS AND SCHOOLS IS READOPTED AS PUBLISHED IN**
2 **40:06 NCR 568 AS FOLLOWS:**

3 **21 NCAC 14H .0402 COSMETIC ART SHOPS AND SCHOOLS**

4 (a) Notwithstanding Rule .0201 in this Subchapter, this Rule applies to all cosmetic art schools and shops. A
5 cosmetic art school or shop shall be kept clean.

6 (b) Waste material shall be kept in receptacles with a disposable liner. The area surrounding the waste receptacles
7 shall be maintained in a sanitary manner.

8 (c) All doors and windows shall be kept clean.

9 (d) Furniture, equipment, floors, walls, ceilings, and fixtures must be clean and in good repair.

10 (e) Work surfaces used for resting dirty implements during service performances must be disinfected, before and
11 after each service or be protected by a discardable or disinfectable barrier. Any barrier used for this purpose must be
12 discarded, disinfected or laundered before and after each service.

13 (f) Animals or birds shall not be in a cosmetic art shop or school. Fish in an enclosure and animals trained for the
14 purpose of accompanying disabled persons are exempt from the prohibition in this Paragraph.

15 (g) Cosmetic art shops and schools shall display the name of the shop or school and the suite number at the entrance
16 by a sign or lettering.

17 (h) The owner of a cosmetic art shop or school shall not post any sign that states or implies that some action is
18 required or forbidden by Board rules when such action is not required or forbidden by Board rules. A violation of
19 this prohibition is considered practicing or attempting to practice by fraudulent misrepresentation.

20
21 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-24;*

22 *Eff. April 1, 2012;*

23 *Amended Eff. March 1, 2013;*

24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
25 *13, 2015;*

26 *Amended Eff. April 1, 2023;*

27 *Readopted Eff. April 1, 2026.*

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

AGENCY: Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14H .0403

DEADLINE FOR RECEIPT: March 19, 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:

*It appears that paragraph (b) on lines 10 and 11 is clarifying item (a)(4) on line 9. Could you merge these items? I.E. on line 9 "(4) human **coronavirus coronavirus** or **SARS-CoV-2**"*

On p. 2, line 45, it looks like you are incorporating PL 75-717.52. If so, follow the requirements of G.S. 150B-21.6. You can see examples in the RRC style guide, and note that the Commission is currently considering guidance requiring a direct link to the incorporated material.

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

Seth Ascher
Commission Counsel

Date submitted to agency: March 12, 2026

1 **21 NCAC 14H .0403 DISINFECTION PROCEDURES IS READOPTED AS PUBLISHED IN 40:06**
2 **NCR 568 AS FOLLOWS:**

3 **21 NCAC 14H .0403 DISINFECTION PROCEDURES**

4 (a) Disinfectant, as applicable in this Subchapter, is defined as a disinfectant that is EPA registered as effective
5 against:

- 6 (1) bacteria including Staphylococcus aureus, MRSA, and pseudomonas aeruginosa;
- 7 (2) viruses including HIV, Hepatitis B and C;
- 8 (3) fungi including Trichophyton mentagrophytes; and
- 9 (4) human coronavirus.

10 (b) Disinfectants that meet the requirements of Subparagraph (a)(1), (2), and (3) of this Rule may be used if they are
11 listed on EPA list N as effective against pathogen SARS-CoV-2.

12 (c) Infection Control rules that apply to towels and cloths are as follows:

- 13 (1) clean protective capes, drapes, linens, and towels shall be used for each patron;
- 14 (2) after a protective cape has been in contact with a patron's neck it shall be placed in a clean, closed
15 container until laundered with soap and hot water and dried in a heated dryer. Capes that cannot be
16 laundered and dried in a heater dryer may be disinfected in accordance with the manufacturer
17 directions; and
- 18 (3) after a drape, linen, or towel has been in contact with a patron's skin it shall be placed in a clean,
19 container until laundered with soap and hot water and dried in a heated dryer.

20 (d) Any paper or nonwoven protective drape or covering shall be discarded after one use.

21 (e) There shall be a supply of clean protective drapes, linens, and towels at all times. Wet towels used in services
22 must be prepared fresh each day. Unused, prepared wet towels must be laundered daily.

23 (f) Clean drapes, capes, linens, towels and all other supplies shall be stored in a clean area.

24 (g) Bathroom facilities must be kept clean.

25 (h) All implements shall be cleaned and disinfected after each use in the following manner:

- 26 (1) They shall be washed with warm water and a cleaning solution and scrubbed to remove debris and
27 dried.
- 28 (2) They shall be disinfected with disinfectant that is mixed and used according to the manufacturer's
29 directions and manufacturer's contact time. They shall be rinsed with hot tap water and dried with
30 a clean towel before their next use. They shall be stored in a clean, closed cabinet or container
31 until they are needed.
- 32 (3) If the implement is shears, a razor, or not immersible, it shall be cleaned by wiping it with a clean
33 cloth moistened or sprayed with a disinfectant used in accordance with the manufacturer's
34 directions.

35 (i) All disinfected non-electrical implements shall be stored in a clean, closed cabinet or clean, closed container.

36 (j) All disinfected electrical implements shall be stored in a clean area separate from other clean implements.

37 (k) Disposable and porous implements and supplies must be discarded after use or upon completion of the service.

- 38 (l) Product that comes into contact with the patron must be discarded upon completion of the service.
- 39 (m) Containers with open faces may be covered or closed with plastic wrapping. Disinfected implements must not
40 be stored with any implement or item that has not been disinfected. Implements that have not been disinfected must
41 be stored in a container and labeled as soiled.
- 42 (n) Lancets, disposable razors, and other sharp objects shall be disposed in puncture-resistant containers.
- 43 (o) All creams, lotions, wax, cosmetics, and other products dispensed to come in contact with patron's skin must be
44 kept in clean, closed containers and must conform in all respects to the requirements of the Federal Food, Drug, and
45 Cosmetic Act as set forth in PL 75-717.52 accessible at www.fda.gov. Any product apportioned for use and
46 removed from original containers must be distributed in a sanitary manner that prevents contamination of product or
47 container. Any product dispensed in portions into another container must be dispensed into a clean container and
48 applied to patrons by means of a disinfected or disposable implement or other clean methods. Any product
49 dispensed in portions not dispensed into another container must be used immediately and applied to patrons by
50 means of a disinfected or disposable implement or other clean methods. No product dispensed in portions may be
51 returned to the original container.
- 52 (p) As used in this Rule, "whirlpool" or "footspa" means any basin using circulating water.
- 53 (q) After use by each patron each whirlpool or footspa must be cleaned and disinfected as follows:
- 54 (1) all water must be drained and all debris removed from the basin;
- 55 (2) the basin must be disinfected by filling the basin with water and circulating a surfactant or
56 enzymatic soap with a disinfectant used according to manufacturer's instructions through the unit
57 for 10 minutes;
- 58 (3) the basin must be drained and rinsed with clean water; and
- 59 (4) the basin must be wiped dry with a clean towel.
- 60 (r) At the end of the day each whirlpool or footspa must be cleaned and disinfected as follows:
- 61 (1) the screen must be removed and all debris trapped behind the screen removed;
- 62 (2) the screen and the inlet must be washed with surfactant, enzymatic soap, or detergent and rinsed
63 with clean water;
- 64 (3) before replacing the screen it must be totally immersed in disinfectant in accordance to the
65 manufacturer's instructions;
- 66 (4) the inlet and area behind the screen must be cleaned with a brush and surfactant soap and water to
67 remove all visible debris and residue; and
- 68 (5) the spa system must be flushed with low sudsing surfactant, enzymatic soap, and warm water for
69 at least 10 minutes and then rinsed and drained.
- 70 (s) A record must be made of the date and time of each cleaning and disinfecting as required by this Rule including
71 the date, time, reason, and name of the staff member who performed the cleaning. This record must be made for
72 each whirlpool or footspa and must be kept and made available for at least 90 days upon request by either a patron
73 or inspector.
- 74 (t) The water in a vaporizer machine must be emptied daily and the unit disinfected daily after emptying.

75 (u) The area where services are performed that come in contact with the patron's skin including treatment chairs,
76 treatment tables, and beds shall be disinfected between patrons.

77 (v) A manufacturers label for all products, cleaners, and disinfectant concentrate must be available at all times. If a
78 concentrate bottle is emptied, it must remain available until a new bottle is available.

79 (w) When mixed disinfectant concentrate is placed in a secondary container such as a spray bottle, tub, or jar, that
80 container must be labeled to indicate what chemical is in the container. SDS sheets must be available for all
81 disinfectants in use at all times.

82 (x) Disinfectants must be stored and disposed of in accordance with all local, State, and federal requirements.

83 (y) The cabinet and supplies of a towel warmer machine must be emptied daily and the unit dried daily after
84 emptying.

85

86 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14;*

87 *Eff. April 1, 2012;*

88 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
89 *13, 2015;*

90 *Amended Eff. April 1, 2023; September 1, 2021; September 1, 2020; October 1, 2019; March 1,*
91 *2018;*

92 *Readopted April 1, 2026.*

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

AGENCY: Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14H .0501

DEADLINE FOR RECEIPT: March 19, 2026

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

On line 6, you reference an application. Is this a form? If so are the contents or substantive requirements spelled out in rule or statute pursuant to G.S. 150B-2(8a)d.

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

1 **21 NCAC 14H .0501 INSPECTION OF COSMETIC ART SHOPS IS READOPTED AS PUBLISHED**
2 **IN 40:06 NCR 568 AS FOLLOWS:**

3 **SECTION .0500 - ENFORCEMENT, MAINTENANCE OF LICENSURE**
4

5 **21 NCAC 14H .0501 INSPECTION OF COSMETIC ART SHOPS**

6 (a) A newly established cosmetic art shop, or a shop which has changed ownership must file an application for
7 licensure with the Board prior to opening. A newly established cosmetic art shop, a shop which has changed
8 ownership or a shop which has been operating without a license shall be inspected before a license will be issued.

9 (b) Each cosmetic art shop must pass inspection by an agent of the Board pursuant to this Subchapter. Inspections
10 shall be conducted annually and may be conducted without notice.

11 (c) Mobile cosmetic art shops and schools are prohibited.
12

13 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-27;*

14 *Eff. April 1, 2012;*

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

17 *Amended Eff. April 1, 2023.*

18 *Readopted Eff. April 1, 2026.*

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

AGENCY: Board of Cosmetic Arts

RULE CITATION: 21 NCAC 14H .0502

DEADLINE FOR RECEIPT: March 19, 2026

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

As written, this rule would apply if an inspector is unable to inspect a location for reasons unrelated to the licensee. I suspect that is not what you mean. Consider rewriting to state the requirement on the licensee. I.e. "A salon shall allow an inspector access to inspect a salon after the inspector makes an appointment. If a salon fails to meet this requirement twice, the Board may initiate pizza to revoke or suspend the salon license or may refuse to renew the shop license."

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

Seth Ascher
Commission Counsel

Date submitted to agency: March 12, 2026

1 **21 NCAC 14H .0502 FAILURE TO PERMIT INSPECTION IS READOPTED AS PUBLISHED IN**
2 **40:06 NCR 568 AS FOLLOWS:**

3 **21 NCAC 14H .0502 FAILURE TO PERMIT INSPECTION**

4 If an inspector is twice unable to inspect a salon after making an appointment to inspect the salon the Board may
5 initiate proceedings to revoke or suspend the salon license or may refuse to renew the shop license.

6

7 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-27;*

8 *Eff. April 1, 2012;*

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

10 *January 13, 2015;*

11 *Readopted Eff. April 1, 2026.*

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

AGENCY: Board of Cosmetic Arts

RULE CITATION: 21 NCAC 14I .0401

DEADLINE FOR RECEIPT: March 19, 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:

On line 8, it is unclear what the applicant is apply for Board approval for.

Are the rules that would normally prevent licensure of a felon that this is an exception to it? If so, make this explicit, i.e. "may apply for licensure notwithstanding Rule X".

Are there criteria or procedures for how the Board will determine whether or not to "approve"?

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

1 **21 NCAC 14I .0401 APPLICATION/LICENSURE/INDIVIDUALS WHO HAVE BEEN CONVICTED**
2 **OF FELONY IS READOPTED AS PUBLISHED IN 40:06 NCR 568 AS**
3 **FOLLOWS:**

4 **SECTION .0400 - LICENSURE OF INDIVIDUALS WHO HAVE BEEN CONVICTED OF A FELONY**
5

6 **21 NCAC 14I .0401 APPLICATION/LICENSURE/INDIVIDUALS WHO HAVE BEEN CONVICTED**
7 **OF FELONY**

8 (a) Any applicant convicted of a felony or charged with a felony that is still pending may apply for Board approval.
9 All documentation submitted shall have no effect on an individual's ability to attend a cosmetic art school, take an
10 examination administered by the Board, or apply for a license.

11 (b) The applicant shall supply the following:

- 12 (1) a statement of facts of the crime, accompanied by a certified copy of the indictment (or, in the
13 absence of an indictment, a copy of the "information" that initiated the formal judicial process),
14 the judgment and any commitment order for each felony for which there has been a conviction;
- 15 (2) at least three letters attesting to the applicant's character from individuals unrelated by blood or
16 marriage;
- 17 (3) a summary of the applicant's personal history since conviction including, if applicable, date of
18 release, parole or probation status, employment, and military service; and
- 19 (4) any other information that in the opinion of the applicant would be useful or pertinent to the
20 consideration by the Board of the applicant's request for licensure.

21
22 *History Note: Authority G.S. 88B-4; 88B-24(1);*
23 *Eff. June 1, 1995;*
24 *Amended Eff. August 1, 2014; September 1, 2010; December 1, 2008; April 1, 2001; August 1,*
25 *1998;*
26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
27 *13, 2015; March 1, 2026;*
28 *Amended Eff. March 1, 2018;*
29 *Readopted Eff. April 1, 2026.*

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

AGENCY: Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14N .0107

DEADLINE FOR RECEIPT: March 19, 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:

On line 20, you reference a form. Are the contents or substantive requirements spelled out in rule or statute pursuant to G.S. 150B-2(8a)d.?

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

1 **21 NCAC 14N .0107 SPECIAL ARRANGEMENTS FOR DISABLED IS READOPTED AS**
2 **PUBLISHED IN 40:06 NCR 568 AS FOLLOWS:**

3 **21 NCAC 14N .0107 SPECIAL ARRANGEMENTS FOR DISABLED**

4 (a) If a candidate has a disability which will require special arrangements to take an examination, the candidate
5 shall request such arrangements with his or her application for examination. The request for special arrangements
6 shall be in writing and shall set out in sufficient detail what special arrangements are needed. The Board shall make
7 reasonable accommodations for candidates requesting assistance under this Section, including any assistance
8 required by applicable provisions of the Federal Americans with Disabilities Act.

9 (b) If reading assistance, or a reader is required, the application for special arrangements shall also be accompanied
10 by a letter from the candidate's cosmetic art school which documents the assistance the candidate required during
11 classes there. In addition, the candidate shall submit a letter from a professional qualified to diagnose and document
12 the disability.

13 (c) The application, accompanied by a letter from a professional qualified to diagnose shall document the disability.

14 (d) The candidate shall provide any special equipment or readers. A reader shall be 18 years of age or older.

15 (e) A reader shall not be:

16 (1) currently or formerly licensed by this state or any state, nor have received or is currently receiving
17 any training, in any branch of cosmetic art;

18 (2) a current or former owner or employee of any beauty establishment;

19 (3) simultaneously a model for any candidate taking the examination.

20 (f) The application for permission to use a reader shall be made on a form provided by the Board.

21
22 *History Note: Authority G.S. 88-10(2); 88-12(2); 88-16; 88-17; 88-21(a)(16); 88-23; 88-30(4);*

23 *Eff. June 1, 1992;*

24 *Amended Eff. August 1, 1998; January 1, 1996;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
26 *13, 2015;*

27 *Readopted Eff. April 1, 2026.*