

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Board of Cosmetology and Barber Examiners
Division:	Department of Commerce and Insurance
Contact Person:	Jesse Gentry, Chief Counsel
Address:	500 James Robertson Parkway, Davy Crockett Tower, Nashville, Tenn. 37243
Phone:	(615) 741-5898
Email:	Jesse.Gentry@TN.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact:	Don Coleman
Address:	500 James Robertson Parkway, Davy Crockett Tower, Nashville, Tenn. 37243
Phone:	615-741-6500
Email:	Don.Coleman@TN.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway		
Address 2:	Room 1A		
City:	Nashville		
Zip:	37243		
Hearing Date:	02/05/2024		
Hearing Time:	11:00 a.m.	<input checked="" type="checkbox"/> X CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

N/A

Revision Type (check all that apply):

<u>X</u>	Amendment
<u> </u>	New
<u> </u>	Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0440-01	Licensing
Rule Number	Rule Title
0440-01-.03	Curriculum
0440-01-.04	High School Equivalents
0440-01-.13	Fees

Chapter Number	Chapter Title
0200-01	Licensing
Rule Number	Rule Title
0200-01-.08	Educational Equivalent

Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

Chapter 0440-01
Sanitary Rules
Amendments

The Table of Contents for Chapter 0440-01 is amended by substituting, "High School Equivalents" with "High School Equivalency Credential" so that, as amended, the Table of Contents shall read:

**RULES
OF THE
TENNESSEE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

**CHAPTER 0440-01
LICENSING**

TABLE OF CONTENTS

0440-01-.01 Requirements for School License	0440-01-.11 Instructor-training Programs
0440-01-.02 Change of School Ownership and Relocation	0440-01-.12 Demonstrations
0440-01-.03 Curriculum	0440-01-.13 Fees
0440-01-.04 High School Equivalency Credential	0440-01-.14 Civil Penalties
0440-01-.05 Requirements for Schools	0440-01-.15 Practice by Instructor
0440-01-.06 Enrollment of Students	0440-01-.16 Schools Providing Limited Instruction
0440-01-.07 Student Kits	0440-01-.17 Communication with the Board
0440-01-.08 Examination of School Registration Renewal	0440-01-.18 Expedited Licensing for Certain Military Personnel and Spouses
0440-01-.09 Examinations and School Attendance Ratio	0440-01-.19 Mobile Shops
0440-01-.10 Original License Fee	

0440-01-.03(3) Curriculum is amended by adding the text below as subparagraph (3)(f) so that as amended, subparagraph (3)(f) shall read as follows.

0440-01-.03 Curriculum.

- (3) (a) The fifteen hundred (1,500) clock hours/45 credit hours of instruction required of applicants for a license to practice cosmetology shall be apportioned as follows:
1. General.....300 clock hours/9 credit hours
Sterilization, sanitation and bacteriology, anatomy and physiology, shop ethics, personality and salesmanship, state law.
 2. Chemical.....600 clock hours/18 credit hours
Permanent waves, hair relaxer, hair coloring, bleaching and toning, sculptured nails, hair structure and chemistry.
 3. Physical.....600 clock hours/18 credit hours
Shampooing and rinses, hair and scalp care, hair shaping, hairdressing and styling, facials, arching, lash and brow tinting, manicures and pedicures.
- (b) The six hundred (600) clock hours/18 credit hours of instruction required of an applicant

for a license to practice manicuring shall be apportioned as follows:

1. General.....150 clock hours/4.5 credit hours
Sanitation and bacteriology, anatomy and physiology, state law, salon management, and ethics.
2. Chemical.....100 clock hours/3 credit hours
Product knowledge, ingredients and usage of materials, manicuring and pedicuring, EPA and OSHA requirements.
3. Physical.....350 clock hours/10.5 credit hours
Massage, manicuring, pedicuring, nail care, nail artistry, nail wraps, sculptured nails, nail tips, gel nails, and nail safety.

(c) The seven hundred and fifty (750) clock hours/22.5 credit hours of instruction required of an applicant for a license to practice aesthetics shall be apportioned as follows:

1. General.....150 clock hours/4.5 credit hours
Sterilization, sanitation and bacteriology, professional ethics, personality, salesmanship, anatomy and physiology, and state law.
2. Chemical.....150 clock hours/4.5 credit hours
Skin conditions and disorders, nutrition, aging factors, product ingredients and usage, waxing, lash and brow tinting, OSHA and EPA requirements.
3. Physical.....450 clock hours/13.5 credit hours
Massage movements and manipulations, masks and packs, facial treatments with and without the use of machines, skin analysis and consultation, application of all products and machines, color psychology, make-up and corrective make-up arching.

(d) The three hundred (300) clock hours/9 credit hours of instruction required of an applicant for a natural hair stylist license shall be apportioned as follows:

1. General.....120 clock hours/3.6 credit hours
Sanitation, sterilization, bacteriology, shampooing, draping, disorders of hair and scalp, state law and salon management.
2. Physical.....180 clock hours/5.4 credit hours
Twisting, wrapping, weaving, extending, locking, braiding and natural hair styling, by hand or mechanical appliances.

(e) The three hundred (300) clock hours/9 credit hours of instruction required of applicants for an instructor's license shall include no less than a total of one hundred (100) clock hours/3 credit hours in lesson planning and motivation.

(f) The three hundred (300) clock hours/9 credit hours of classroom instruction and practical experience required of an applicant for an eyelash specialist license shall include a curriculum developed by the school and shall be controlled by T.C.A. Title 62, Chapter 4, including § 62-4-110.

Authority: T.C.A. §§ 62-4-102, 62-4-105(e), 62-4-108, 62-4-110, and 62-4-120.

0440-01-.04 High School Equivalents is amended by redesignating "High School Equivalents" as "High School Equivalency Credential" and by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0440-01-.04 High School Equivalency Credential.

- (1) For the purpose of determining whether an applicant for a license to instruct in a cosmetology has received a high school diploma or a high school equivalency credential, the board will consider

whether the diploma or high school equivalency credential is approved by the state board of education, or its equivalent agency, in the state where it was issued, pursuant to T.C.A. § 62-4-110.

- (2) For the purpose of determining whether an individual may be enrolled in a cosmetology school, the school will be responsible for verifying that each student is qualified to be enrolled as a student prior to the student's enrollment in the school. Each school is responsible for verifying that each student has properly completed the necessary education requirements prior to enrollment, including verifying the student has completed the necessary level of education and/or attained the required score(s) on any high school equivalency test(s), pursuant to T.C.A. § 62-4-122.

Authority: T.C.A. §§ 62-4-105(e), 62-4-110 and 62-4-122.

0440-01-.13 Fees is amended by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0440-01-.13 Fees.

- (1) Application/examination
 - (a) A candidate shall schedule the test needed for a specific license (cosmetologist, manicurist, instructor, aesthetician, natural hair stylist, or eyelash specialist) with the Board's designated testing agency and pay an examination fee that will include any fees charged by the designated testing agency.
 - (b) The Board shall set the examination fee through choosing a contractor from a solicitation process pursuant to T.C.A. §§ 12-3-501, et seq. and the Comprehensive Rules and Regulations of the Central Procurement Office found at Tenn. Comp. R. & Reg. Chapter 0690-03-01, or any other predecessor rules and laws of the State of Tennessee regarding the procurement of such contracts.
- (2) Original License
 - (a) Cosmetologist.....sixty dollars (\$60.00)
 - (b) Manicurist.....sixty dollars (\$60.00)
 - (c) Instructor.....eighty dollars (\$80.00)
 - (d) Aesthetician.....sixty dollars (\$60.00)
 - (e) Natural Hair Stylist.....sixty dollars (\$60.00)
 - (f) Eyelash Specialist.....sixty dollars (\$60.00)
- (3) Renewal
 - (a) Cosmetologist.....sixty dollars (\$60.00)
 - (b) Manicurist.....sixty dollars (\$60.00)
 - (c) Instructor.....seventy dollars (\$70.00)
 - (d) Aesthetician.....sixty dollars (\$60.00)
 - (e) Natural Hair Stylist.....sixty dollars (\$60.00)
 - (f) Eyelash Specialist.....sixty dollars (\$60.00)
- (4) Penalty for late renewal

- (a) Cosmetologist, manicurist, instructor, aesthetician, natural hair stylist, and eyelash specialist.....twenty-five dollars (\$25.00)
- (5) Cosmetology, manicure, skin care, natural hair stylist, manicure/skin care, or eyelash services shops
- (a) Inspection (new shop, relocated shop, shop with change of ownership).....fifty dollars (\$50.00)
- (b) License
- New shop.....one hundred dollars (\$100.00)
- Relocated shop.....one hundred dollars (\$100.00)
- Change of ownership.....one hundred dollars (\$100.00)
- (c) Renewal.....seventy-five dollars (\$75.00)
- (d) Penalty for late renewal.....fifty dollars (\$50.00)
- (e) Change of name only.....ten dollars (\$10.00)
- (f) Change of ownership due to death of immediate family, no charge, with a copy of the death certificate or obituary.
- (g) New Dual shop license.....one hundred and fifty dollars (\$150.00)
- (h) Dual shop license renewal.....one hundred dollars (\$100.00)
- (i) Dual shop penalty for late renewal.....fifty dollars (\$50.00) per year
- (6) School
- (a) Application/license (new school).....three hundred and fifty dollars (\$350.00)
- (b) License for relocated or change of ownership for a school.....
.....one hundred and seventy-five dollars (\$175.00)
- (c) Penalty for late monthly report from schools of hours attended by students
.....twenty-five dollars (\$25.00)
- (d) Annual school renewal.....one hundred and fifty dollars (\$150.00)
- (7) Replacement or correction of license
- (a) Lost, misplaced or mutilated license.....twenty-five dollars (\$25.00)
- (b) Change of name by any cosmetologist, aesthetician, manicurist, instructor, natural hair stylist, shampoo/manicurist, or eyelash specialist.....ten dollars (\$10.00)
- (c) Certification for licensee.....fifty dollars (\$50.00)
1. Fee should be sent with:
- (i) Written request for certification
- (ii) I.D. number
- (d) Student certification of hours.....twenty-five dollars (\$25.00)
1. Fee should be sent with:

- (i) Certification request form
- (ii) Completion/withdrawal form (unless previously submitted)
- (8) Surcharge to issue manicurist license to former shampoo/manicurist as in T.C.A. § 62-4-131(c).....twenty-five dollars (\$25.00)
- (9) Reciprocity.....one hundred dollars (\$100.00)
The fee for application through reciprocity must be received along with the applicant's initial application documents. Any reciprocity application received without this fee shall be incomplete and will not be considered.
- (10) Retiring a license.....fifty dollars (\$50.00)
- (11) In the event that any check, draft or order for the payment of a fee to the Board of Cosmetology and Barber Examiners is returned because of insufficient funds, only cash, certified check or money order will be accepted for the amount due, plus twenty dollars (\$20.00) additional fee.
- (12) Applications for licensure of a salon are valid for ninety (90) days after approval by the Board. Failure to obtain an approved inspection for operation within the ninety (90) days shall invalidate the application and require a new application and fee.

Authority: T.C.A. §§ 62-4-102, 62-4-105(e), 62-4-110, 62-4-112, 62-4-115, 62-4-117, 62-4-118, 62-4-120, 62-4-121, 62-4-125, 62-4-131, 62-4-132 and 62-4-138.

Chapter 0200-01
Licensing
Amendments

The Table of Contents for Chapter 0200-01 is amended by substituting, "Educational Equivalents" with "High School Equivalency Credential" so that, as amended, the Table of Contents shall read:

**RULES
OF THE
TENNESSEE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

**CHAPTER 0200-01
LICENSING**

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0200-01-.01 Requirements for School License	0200-01-.11 Fees
0200-01-.02 Curriculum	0200-01-.12 Inspections
0200-01-.03 Transcripts	0200-01-.13 License Qualifications
0200-01-.04 Applications for Examination	0200-01-.14 Instructor-training Programs
0200-01-.05 Posting of Licenses	0200-01-.15 Student Kits
0200-01-.06 Expiration of Certificates of Registration	0200-01-.16 Demonstrations
0200-01-.07 Equipment and Location Requirements	0200-01-.17 Alcoholic Beverages
0200-01-.08 High School Equivalency Credential	0200-01-.18 Civil Penalties
0200-01-.09 Examinations	0200-01-.19 Mobile Shops
0200-01-.10 Original License Fee	0200-01-.20 Residential Barber Services

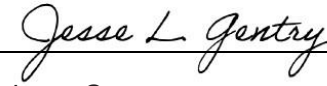
0200-01-.08 Educational Equivalent is amended by redesignating "Educational Equivalent" as "High School Equivalency Credential" and by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0200-01-.08 High School Equivalency Credential.


- (1) For the purpose of determining whether an applicant for a certificate of registration as a master barber has received a high school diploma or a high school equivalency credential, the board will consider whether the diploma or high school equivalency credential is approved by the state board of education, or its equivalent agency, in the state where it was issued, pursuant to T.C.A. § 62-3-110.
- (2) For the purpose of determining whether an individual may be enrolled in a school of barbering, the school will be responsible for verifying that each student is qualified to be enrolled as a student prior to the student's enrollment in the school. Each school is responsible for verifying that each student has properly completed the necessary education requirements prior to enrollment, including verifying the student has completed the necessary level of education and/or attained the required score(s) on any high school equivalency test(s), pursuant to T.C.A. § 62-3-123.

Authority: T.C.A. §§ 62-3-110, 62-3-123, and 62-3-128.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: September 14, 2023
Signature: 
Name of Officer: Jesse Gentry
Title of Officer: Chief Counsel

Department of State Use Only

Filed with the Department of State on: 12/11/2023

Tre Hargett
Secretary of State

RECEIVED

Dec 11 2023, 4:00 pm

Secretary of State
Division of Publications

Notice of Rulemaking Hearing-Redline

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission:	Tennessee Board of Cosmetology and Barber Examiners
Division:	Department of Commerce and Insurance
Contact Person:	Jesse Gentry, Chief Counsel
Address:	500 James Robertson Parkway, Davy Crockett Tower, Nashville, Tenn. 37243
Phone:	(615) 741-5898
Email:	Jesse.Gentry@TN.gov

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Address:	500 James Robertson Parkway, Davy Crockett Tower, Nashville, Tenn. 37243
Phone:	615-741-6500
Email:	Don.Coleman@TN.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1:	500 James Robertson Parkway		
Address 2:	Room 1A		
City:	Nashville		
Zip:	37243		
Hearing Date:	02/05/2024		
Hearing Time:	11:00 a.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

Additional Hearing Information:

N/A

Revision Type (check all that apply):

<u>X</u>	Amendment
<u> </u>	New
<u> </u>	Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0440-01	Licensing
Rule Number	Rule Title
0440-01-.03	Curriculum
0440-01-.04	High School Equivalents
0440-01-.13	Fees

Chapter Number	Chapter Title
0200-01	Licensing
Rule Number	Rule Title
0200-01-.08	Educational Equivalent

Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

Chapter 0440-01
Sanitary Rules
Amendments

The Table of Contents for Chapter 0440-01 is amended by substituting, “High School Equivalents” with “High School Equivalency Credential” so that, as amended, the Table of Contents shall read:

**RULES
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TENNESSEE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

**CHAPTER 0440-01
LICENSING**

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0440-01-.08 Examination of School Registration Renewal	0440-01-.18 Expedited Licensing for Certain Military Personnel and Spouses
0440-01-.09 Examinations and School Attendance Ratio	0440-01-.19 Mobile Shops
0440-01-.10 Original License Fee	

0440-01-.03(3) Curriculum is amended by adding the text below as subparagraph (3)(f) so that as amended, subparagraph (3)(f) shall read as follows.

0440-01-.03 Curriculum.

- (3) (a) The fifteen hundred (1,500) clock hours/45 credit hours of instruction required of applicants for a license to practice cosmetology shall be apportioned as follows:
1. General.....300 clock hours/9 credit hours
Sterilization, sanitation and bacteriology, anatomy and physiology, shop ethics, personality and salesmanship, state law.
 2. Chemical.....600 clock hours/18 credit hours
Permanent waves, hair relaxer, hair coloring, bleaching and toning, sculptured nails, hair structure and chemistry.
 3. Physical.....600 clock hours/18 credit hours
Shampooing and rinses, hair and scalp care, hair shaping, hairdressing and styling, facials, arching, lash and brow tinting, manicures and pedicures.
- (b) The six hundred (600) clock hours/18 credit hours of instruction required of an applicant

for a license to practice manicuring shall be apportioned as follows:

1. General.....150 clock hours/4.5 credit hours
Sanitation and bacteriology, anatomy and physiology, state law, salon management, and ethics.
 2. Chemical.....100 clock hours/3 credit hours
Product knowledge, ingredients and usage of materials, manicuring and pedicuring, EPA and OSHA requirements.
 3. Physical.....350 clock hours/10.5 credit hours
Massage, manicuring, pedicuring, nail care, nail artistry, nail wraps, sculptured nails, nail tips, gel nails, and nail safety.
- (c) The seven hundred and fifty (750) clock hours/22.5 credit hours of instruction required of an applicant for a license to practice aesthetics shall be apportioned as follows:
1. General.....150 clock hours/4.5 credit hours
Sterilization, sanitation and bacteriology, professional ethics, personality, salesmanship, anatomy and physiology, and state law.
 2. Chemical.....150 clock hours/4.5 credit hours
Skin conditions and disorders, nutrition, aging factors, product ingredients and usage, waxing, lash and brow tinting, OSHA and EPA requirements.
 3. Physical.....450 clock hours/13.5 credit hours
Massage movements and manipulations, masks and packs, facial treatments with and without the use of machines, skin analysis and consultation, application of all products and machines, color psychology, make-up and corrective make-up arching.
- (d) The three hundred (300) clock hours/9 credit hours of instruction required of an applicant for a natural hair stylist license shall be apportioned as follows:
1. General.....120 clock hours/3.6 credit hours
Sanitation, sterilization, bacteriology, shampooing, draping, disorders of hair and scalp, state law and salon management.
 2. Physical.....180 clock hours/5.4 credit hours
Twisting, wrapping, weaving, extending, locking, braiding and natural hair styling, by hand or mechanical appliances.
- (e) The three hundred (300) clock hours/9 credit hours of instruction required of applicants for an instructor's license shall include no less than a total of one hundred (100) clock hours/3 credit hours in lesson planning and motivation.
- (f) The three hundred (300) clock hours/9 credit hours of classroom instruction and practical experience required of an applicant for an eyelash specialist license shall include a curriculum developed by the school and shall be controlled by T.C.A. Title 62, Chapter 4, including § 62-4-110.

Authority: T.C.A. §§ 62-4-102, 62-4-105(e), 62-4-108, 62-4-110, and 62-4-120~~(k)~~.

0440-01-.04 High School Equivalents is amended by redesignating "High School Equivalents" as "High School Equivalency Credential" and by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0440-01-.04 High School ~~Equivalents~~Equivalency Credential.

~~(1) For the purpose of determining eligibility for enrollment in a school of cosmetology, an applicant must have completed and passed at least two (2) years of high school or obtained a score of at least four hundred and fifty (450) on a General Educational Development test.~~

- ~~(2) Public and vocational schools are exempt from the provisions of Tenn. Code Ann. § 62-4-122. However, the completion of at least ten (10) high school credits or obtaining a score of at least four hundred and fifty (450) on a General Educational Development test must be met prior to the completion of a cosmetology curriculum.~~
- ~~(3) The school considering acceptance of any candidate shall be responsible for verifying and accepting any submitted documentation for high school equivalency.~~
- (1) For the purpose of determining whether an applicant for a license to instruct in a cosmetology has received a high school diploma or a high school equivalency credential, the board will consider whether the diploma or high school equivalency credential is approved by the state board of education, or its equivalent agency, in the state where it was issued, pursuant to T.C.A. § 62-4-110.
- (2) For the purpose of determining whether an individual may be enrolled in a cosmetology school, the school will be responsible for verifying that each student is qualified to be enrolled as a student prior to the student's enrollment in the school. Each school is responsible for verifying that each student has properly completed the necessary education requirements prior to enrollment, including verifying the student has completed the necessary level of education and/or attained the required score(s) on any high school equivalency test(s), pursuant to T.C.A. § 62-4-122.

Authority: T.C.A. §§ 62-4-105(e), [62-4-110](#) and 62-4-122.

0440-01-.13 Fees is amended by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0440-01-.13 Fees.

- (1) Application/examination
 - (a) A candidate shall schedule the test needed for a specific license (cosmetologist, manicurist, instructor, aesthetician, ~~or~~ natural hair stylist, or eyelash specialist) with the Board's designated testing agency and pay an examination fee that will include any fees charged by the designated testing agency.
 - (b) The Board shall set the examination fee through choosing a contractor from a solicitation process pursuant to T.C.A. §§ 12-3-501, et seq. and the Comprehensive Rules and Regulations of the Central Procurement Office found at Tenn. Comp. R. & Reg. Chapter 0690-03-01, or any other predecessor rules and laws of the State of Tennessee regarding the procurement of such contracts.
- (2) Original License
 - (a) Cosmetologist.....sixty dollars (\$60.00)
 - (b) Manicurist.....sixty dollars (\$60.00)
 - (c) Instructor.....eighty dollars (\$80.00)
 - (d) Aesthetician.....sixty dollars (\$60.00)
 - (e) Natural Hair Stylist.....sixty dollars (\$60.00)
 - (f) Eyelash Specialist.....sixty dollars (\$60.00)
- (3) Renewal
 - (a) Cosmetologist.....sixty dollars (\$60.00)
 - (b) Manicurist.....sixty dollars (\$60.00)

- (c) Instructor.....seventy dollars (\$70.00)
 - (d) Aesthetician.....sixty dollars (\$60.00)
 - (e) Natural Hair Stylist.....sixty dollars (\$60.00)
 - (f) Eyelash Specialist.....sixty dollars (\$60.00)
- (4) Penalty for late renewal
- (a) Cosmetologist, manicurist, instructor, aesthetician, ~~and~~ natural hair stylist, and eyelash specialist.....twenty-five dollars (\$25.00)
- (5) Cosmetology, manicure, skin care, natural hair stylist ~~or~~, manicure/skin care ~~shops, or eyelash services shops~~
- (a) Inspection (new shop, relocated shop, shop with change of ownership).....fifty dollars (\$50.00)
 - (b) License
 - New shop.....one hundred dollars (\$100.00)
 - Relocated shop.....one hundred dollars (\$100.00)
 - Change of ownership.....one hundred dollars (\$100.00)
 - (c) Renewal.....seventy-five dollars (\$75.00)
 - (d) Penalty for late renewal.....fifty dollars (\$50.00)
 - (e) Change of name only.....ten dollars (\$10.00)
 - (f) Change of ownership due to death of immediate family, no charge, with a copy of the death certificate or obituary.
 - (g) New Dual shop license.....one hundred and fifty dollars (\$150.00)
 - (h) Dual shop license renewal.....one hundred dollars (\$100.00)
 - (i) Dual shop penalty for late renewal.....fifty dollars (\$50.00) per year
- (6) School
- (a) Application/license (new school).....three hundred and fifty dollars (\$350.00)
 - (b) License for relocated or change of ownership for a school.....
.....one hundred and seventy-five dollars (\$175.00)
 - (c) Penalty for late monthly report from schools of hours attended by students
.....twenty-five dollars (\$25.00)
 - (d) Annual school renewal.....one hundred and fifty dollars (\$150.00)
- (7) Replacement or correction of license
- (a) Lost, misplaced or mutilated license.....twenty-five dollars (\$25.00)
 - (b) Change of name by any cosmetologist, aesthetician, manicurist, instructor, natural hair stylist, ~~or~~ shampoo/manicurist, or eyelash specialist.....ten dollars (\$10.00)
 - (c) Certification for licensee.....fifty dollars (\$50.00)

1. Fee should be sent with:
 - (i) Written request for certification
 - (ii) I.D. number
 - (d) Student certification of hours.....twenty-five dollars (\$25.00)
 1. Fee should be sent with:
 - (i) Certification request form
 - (ii) Completion/withdrawal form (unless previously submitted)
 - (8) Surcharge to issue manicurist license to former shampoo/manicurist as in T.C.A. § 62-4-131(c).....twenty-five dollars (\$25.00)
 - (9) Reciprocity.....one hundred dollars (\$100.00)
- The fee for application through reciprocity must be received along with the applicant's initial application documents. Any reciprocity application received without this fee shall be incomplete and will not be considered.
- (10) Retiring a license.....fifty dollars (\$50.00)
 - (11) In the event that any check, draft or order for the payment of a fee to the Board of Cosmetology and Barber Examiners is returned because of insufficient funds, only cash, certified check or money order will be accepted for the amount due, plus twenty dollars (\$20.00) additional fee.
 - (12) Applications for licensure of a salon are valid for ninety (90) days after approval by the Board. Failure to obtain an approved inspection for operation within the ninety (90) days shall invalidate the application and require a new application and fee.

Authority: T.C.A. §§ [62-4-102](#), 62-4-105(e), 62-4-110, 62-4-112, 62-4-115, 62-4-117, 62-4-118, 62-4-120, 62-4-121, 62-4-125, 62-4-131, 62-4-132 and 62-4-138.

Chapter 0200-01
Licensing
Amendments

The Table of Contents for Chapter 0200-01 is amended by substituting, "Educational Equivalents" with "High School Equivalency Credential" so that, as amended, the Table of Contents shall read:

**RULES
OF THE
TENNESSEE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

**CHAPTER 0200-01
LICENSING**

TABLE OF CONTENTS

0200-01-.01 Requirements for School License	0200-01-.11 Fees
0200-01-.02 Curriculum	0200-01-.12 Inspections
0200-01-.03 Transcripts	0200-01-.13 License Qualifications
0200-01-.04 Applications for Examination	0200-01-.14 Instructor-training Programs
0200-01-.05 Posting of Licenses	0200-01-.15 Student Kits
0200-01-.06 Expiration of Certificates of Registration	0200-01-.16 Demonstrations
0200-01-.07 Equipment and Location Requirements	0200-01-.17 Alcoholic Beverages
0200-01-.08 Educational Equivalent High School Equivalency Credential	0200-01-.18 Civil Penalties
	0200-01-.19 Mobile Shops

0200-01-.08 Educational Equivalent is amended by redesignating "Educational Equivalent" as "High School Equivalency Credential" and by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0200-01-.08 ~~Educational Equivalent~~ High School Equivalency Credential.

- ~~(1) For the purpose of determining eligibility for enrollment in a school of barbering, the applicant must have:~~
- ~~_____ (a) Completed and passed at least two (2) years of high school; or~~
- ~~_____ (b) Completed and passed the General Educational Development test with a score of at least thirty-eight (38). This shall be deemed to be the equivalent of two (2) years of high school.~~
- ~~(2) Students in public and vocational schools shall be exempt from subparagraphs (a) and (b) above.~~
- ~~(3) The school considering acceptance of any candidate shall be responsible for verifying and accepting any submitted documentation for high school equivalency.~~
- (1) For the purpose of determining whether an applicant for a certificate of registration as a master barber has received a high school diploma or a high school equivalency credential, the board will consider whether the diploma or high school equivalency credential is approved by the state board of education, or its equivalent agency, in the state where it was issued, pursuant to T.C.A. § 62-3-110.
- (2) For the purpose of determining whether an individual may be enrolled in a school of barbering, the school will be responsible for verifying that each student is qualified to be enrolled as a student prior to the student's enrollment in the school. Each school is responsible for verifying that each student has properly completed the necessary education requirements prior to enrollment, including verifying the student has completed the necessary level of education and/or attained the required score(s) on any high school equivalency test(s), pursuant to T.C.A. § 62-3-123.

Authority: T.C.A. §§ 62-3-110, 62-3-123, and 62-3-128.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: September 14, 2023

Signature: Jesse L. Gentry

Name of Officer: Jesse Gentry

Title of Officer: Chief Counsel

Department of State Use Only

Filed with the Department of State on: _____

Tre Hargett
Secretary of State