

**Louisiana State Board of Cosmetology**

**La. R.S. 49:968(D)(1)(b) Report for  
Notice of Intent Published January 20, 2019**

**March 6, 2019**

In accordance with R.S. 49:968(D)(1)(b), the Louisiana State Board of Cosmetology ("Board") submits this report regarding the Notice of Intent published January 20, 2019 (LR 45:115-119):

- (i) A summary of all testimony at any hearing conducted pursuant to R.S. 49:953(A)(2).**

The Board was not required to and did not conduct a hearing pursuant to R.S. 49:953(A)(2). No request for the opportunity for oral presentation or argument was received within twenty days after publication of the Notice of Intent from twenty-five persons, a governmental subdivision or agency, an association having not less than twenty-five members, or a committee of either house of the legislature to which the proposed rule change has been referred under the provisions of R.S. 49:968.

- (ii) A summary of all comments received by the agency, a copy of the agency's response to the summarized comments, and a statement of any tentative or proposed action of the agency resulting from oral or written comments received.**

The Notice of Intent stated:

Interested persons may submit written comments, data, opinions, and arguments regarding the proposed Rule. ... Written submissions ... must be received no later than noon on Monday, February 11, 2019. LR 45:118.

The Board did not receive any comments, data, opinions or arguments regarding the proposed Rule prior to noon on Monday, February 11, 2019. Additionally, as of this date no comments, data, opinions, arguments or request for the opportunity for oral presentation or argument regarding the proposed Rule were received.

- (iii) A revision of the proposed rule if any changes to the rule have been made since the report provided for in Subsection B of this Section was submitted, or a statement that no changes have been made.**

No changes to the proposed rule have been made since the report provided for in R.S. 49:953(B) was submitted.

- (iv) A concise statement of the principal reasons for and against adoption of any amendments or changes suggested.**

See responses to (ii) and (iii) above.

United States without subjecting the transferred water to intervening industrial, municipal, or commercial use. This exclusion does not apply to pollutants introduced by the water transfer activity itself to the water being transferred.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2001 et seq., and in particular Section 2074(B)(3) and (B)(4).

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, Office of Water Resources, LR 21:945 (September 1995), repromulgated by the Office of Environmental Assessment, Environmental Planning Division, LR 30:230 (February 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 33:2069 (October 2007), LR 37:589 (February 2011), amended by the Office of the Secretary, Legal Affairs and Criminal Investigations Division, LR 45:

#### **Family Impact Statement**

This Rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

#### **Poverty Impact Statement**

This Rule has no known impact on poverty as described in R.S. 49:973.

#### **Provider Impact Statement**

This Rule has no known impact on providers as described in HCR 170 of 2014.

#### **Public Hearing**

A public hearing will be held on March 1, 2019, at 1:30 p.m. in the Galvez Building, Oliver Pollock Conference Room, 602 N. Fifth Street, Baton Rouge, LA 70802. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Deidra Johnson at the address given below or at (225) 219-3985. Two hours of free parking are allowed in the Galvez Garage with a validated parking ticket.

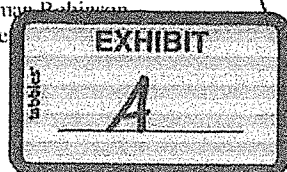
#### **Public Comments**

All interested persons are invited to submit written comments on the proposed regulation. Persons commenting should reference this proposed regulation by WQ100ft. Such comments must be received no later than March 1, 2019, at 4:30 p.m., and should be sent to Deidra Johnson, Attorney Supervisor, Office of the Secretary, Legal Affairs and Criminal Investigations Division, P.O. Box 4302, Baton Rouge, LA 70821-4302 or to fax (225) 219-4068 or by e-mail to [deidra.johnson@la.gov](mailto:deidra.johnson@la.gov). The comment period for this rule ends on the same date as the public hearing. Copies of this proposed regulation can be purchased by contacting the DEQ Public Records Center at (225) 219-1168. Check or money order is required in advance for each copy of WQ100ft. This regulation is available on the Internet at [www.deq.louisiana.gov/portal/tabid/1669/default.aspx](http://www.deq.louisiana.gov/portal/tabid/1669/default.aspx).

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 602 N. Fifth Street, Baton Rouge, LA 70802; 1823 Highway 546, West Monroe, LA 71292; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 1301 Cadwall Street, Lake Charles, LA 70615; 111 New Center Drive, Lafayette, LA 70508; 110 Barataria Street, Lockport, LA 70371; 201 Evans Road, Bldg. 4, Suite 420, New Orleans, LA 70123.

Herman Robinson  
General Counsel

901#035



## **NOTICE OF INTENT**

**Office of the Governor  
Board of Cosmetology**

Cosmetology (LAC 46:XXXI.Chapters 3, 5, 7 and 17)

The Louisiana State Board of Cosmetology, under authority of the Louisiana Cosmetology Act, R.S. 37:561-607, and in accordance with the Administrative Procedure Act, R.S. 49:950 et seq., hereby gives notice of its intent to adopt certain rules relative to high school cosmetology course requirements, student registration reporting requirements, clinic floor minimum standards, adoption of school uniform policy, authorization requirements prior to changes in school operating procedures, equipment required in threading facilities, reinstatement procedures, and disposable equipment; and to amend certain rules relative to reporting and correcting student hours, reporting student registration and attendance, school faculty requirements and prohibitions, student registration access requirements, minimum equipment and operation requirements, student uniform responsibilities, expiration of student hours, booth renters, cosmetology instructors, continuing education requirements, master cosmetology instructors, equipment required in manicuring salons, school and salon remodeling requirements, picture identification requirements, and non-sufficient fund payments; to repeal certain rules relative to student examination requirements and school libraries; and to make technical revisions.

### **Title 46**

## **PROFESSIONAL AND OCCUPATIONAL STANDARDS**

### **Part XXI. Cosmetologists**

#### **Chapter 3. Schools and Students**

#### **§309. Examination of Applicants**

A. - D. ...

E. Examination. Students must bring a mannequin to the examination. Students will be required to perform practical work on the mannequin during the examination.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 37:575(A)(4) and R.S. 37:586.

**HISTORICAL NOTE:** Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended LR 32:834 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 44:909 (May 2018), LR 45:

#### **§310. Requirements for High School Cosmetology Courses**

A. Curriculum. High schools approved by the Louisiana Department of Education may be approved by the board to offer up to 500 hours of cosmetology theory instruction transferable to a cosmetology school approved by the board.

B. Registration. High schools may register students who are:

1. enrolled within the school system;
2. at least 16 years of age; and
3. completed the tenth grade (11 credits).

C. Faculty. Each faculty member who teaches cosmetology theory must have an active Louisiana cosmetology instructor license. At least one active Louisiana cosmetology instructor must be available for substitution in the event the regular instructor is unavailable.

D. Classrooms. A detailed floor plan of the proposed classroom, drawn to scale, shall be submitted to the board for approval. The cosmetology theory classroom shall be at least 400 square feet, have equipment necessary for demonstration and have adequate ventilation. No cosmetology instructor shall teach more than 20 students at any class period. No clinic shall be operated in a high school. No services shall be performed for the public or on paying clients at a high school.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(7).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 45:

### §311. Reporting Student Hours

A. Registration. Schools shall register students with the board by submitting an accurate and completed registration application as well as the required supporting documentation within 45 days after the students start school. The maximum number of hours which will be accepted by the board at the time of registration is the number of hours earned within 45 days preceding registration. Completed registration applications received by the board more than 45 days after the student started school shall be considered late. The board's staff is authorized to register the student and credit hours earned upon payment of the following fine for the late student registration if the school waives its right to a hearing before the board.

Days from Student's Start Date to Board's Receipt of Completed Application	Days Late	Fine
46-74	1-29	\$250
75-104	30-59	\$500
105-134	60-89	\$1000
135-164	90-119	\$1500
165+	120+	\$2500

B. Hours. Schools must register each student's hours with the board no later than on the tenth of the month for hours earned by each enrolled student in the prior month. Any student who did not earn any hours during the month shall be included on the report and the number of hours earned shall be reported as zero. Schools may correct hours submitted to the board within the preceding 60 days. Corrections to hours submitted more than 60 days prior may be corrected by the staff upon payment of a fine of \$50 per month for each student record corrected if the school waives its right to a hearing before the board.

C. Attendance. A representative of the school designated by the school owner must certify the student's attendance for hours reported to the board. No overtime or double time shall be permitted. Only hours devoted to the prescribed curriculum shall be included. Students shall not earn more than 48 hours of training in any calendar week.

D. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9) and R.S. 37:595(A)(5).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended LR 32:835 (May 2006), LR 33:1628 (August 2007), amended by the Office of the Governor, Board of Cosmetology, LR 44:909 (May 2018), LR 45:

### §315. Responsibilities of Schools

A. - A.6. ...

7. Schools shall verify all student registration documents required by this Section within 30 days after the student starts school. If the school is not in possession of all documentation required for registration within 30 days of the student starting school, the student shall not be permitted to attend classes for course credit and the school shall not charge the student any fee for attending class.

B. - D. ...

E. Faculty. No school shall permit an instructor who has an expired or inactive instructor's license to teach cosmetology courses for course credit. All schools must maintain a faculty of at least one instructor per every 20 students enrolled. Each faculty shall include at least two instructors, who are teachers registered by the board, at least one of whom shall have been a registered teacher and in active practice for at least 18 months. The school shall be supervised by a registered teacher of cosmetology in active practice, with at least 24 months of teaching experience in an accredited school of cosmetology approved by the board. An instructor roster must be submitted on a quarterly basis.

F. ...

G. School Closing. Any school owner who intends to close any school shall notify the board in writing as soon as possible. Electronic copies of documents relative to closure must be provided to the board office, including, but not limited to, teach-out plans and teach-out agreements. The board shall be the custodian of records for any school which closes.

H. - I. ...

J. Registrations. All student registrations must be posted in a conspicuous place or kept in a binder in a place accessible to students during regular school hours.

K. ...

L. Repealed.

M. - O. ...

P. Clinic Floor. Students must have a student registration and have completed a minimum of 100 hours in the curriculum prior to performing services on the clinic floor. Students shall perform services only within the curriculum on the student registration certificate.

Q. Uniform Policy. On or before July 1, 2019, each school shall adopt and implement a uniform policy consistent with LAC 46:XXX.321.C.

R. Changes. Any change including but not limited to the curriculum, class schedules, or hours of operation which impact students must be requested in writing to the board for approval prior to implementing the requested change unless the change is due to an emergency. The school shall notify the board of any change due to an emergency as soon as possible.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9) and R.S. 37:595.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:327 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:910 (May 2018), LR 45:

### §317. Equipment Required in Cosmetology Schools

A. - A.1 ...

2. three hair dryers;

3. - 4 ...

5. Repealed.
6. ...
7. sanitizing station with an adequate supply of wet sanitizer;
8. six extra mannequins for teaching purposes;
9. twenty working stations with space for working and supplies;
10. - 11. ...

B. Classroom. Every cosmetology school must have a minimum of 3,500 square feet. Every classroom must be a minimum of 400 square feet, entirely separate from the practical work room, equipped with the following:

1. anatomy charts;
2. marker or chalk board, dry erase, or electronic board for teaching

B.3. - C. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9) and R.S. 37:595(A).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:328 (March 2003), amended LR 45:

### **§321. Responsibilities of Students**

A. - B. ...

C. School Uniforms. Students attending schools shall maintain a professional image and shall wear clean uniforms.

1. Students may wear pants or skirts; however, skirt hemlines must not be shorter than just above the knee.

2. ...

3. Students must wear clean, enclosed shoes with socks.

4. ...

5. - 5.n. Repealed.

D. Students must adhere to the school's uniform policy.

E. Hours. Student hours shall become invalid six years after the date the hours were earned if the student does not complete the curriculum. Earned hours do not expire if the student completed the curriculum.

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:329 (March 2003), amended LR 29:2781 (December 2003), LR 32:835 (May 2006), LR 33:1628 (August 2007), LR 45:

### **Chapter 5. Licensees**

#### **§501. Booth Renters**

(Formerly LAC 46:XXXI.1103)

A. Agreement. Any individual performing cosmetology services in a salon who is not paid by commission, an hourly rate, or salary must obtain a booth renter's permit. A copy of the executed agreement between the salon owner and the cosmetologist shall be submitted to the board at the time of application for a booth rental permit. A booth renter's permit shall be issued after an inspection of the booth prior to services being performed in the rented booth. Booth renter permits are non-transferable.

B. - B.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.37:592 and R.S.37:593.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:329 (March 2003), amended LR 45:

#### **§505. Cosmetology Instructors**

A. Instructors. No person shall teach a cosmetology, manicuring, esthetics, or any course required for licensure without an active instructor's license for the curriculum.

B. Master Instructors. All instructors with a minimum of five consecutive years teaching experience and who attend 16 hours of approved continuing education for five consecutive years will receive a master instructor license with an official title, MCI.

C. Reinstatements.

1. Instructors. An expired or inactive instructor's license shall only be reinstated or renewed only if the applicant has completed the required continuing education hours within the 24-month period preceding the application for reinstatement or renewal.

2. Master Instructors. In order to maintain the master instructor license the instructor must attend a minimum of 16 hours of approved continuing education each year. If a master instructor does not attend the 16 hours during one year, the master instructor license will be reinstated after two consecutive years of completing 16 hours of approved continuing education.

D. Continuing Education. Each licensed instructor shall attend a board approved seminar at least once every two years to maintain active status. The continuing education seminar shall consist of at least 16 hours of training in cosmetology and related fields as approved by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:329 (March 2003), amended LR 45:

### **Chapter 7. Safety and Sanitation Requirements**

#### **§707. Equipment Required in Salons Offering**

##### **Esthetics Services**

A. - A.1. ...

2. stool for operator;

A.3. - B.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:330 (March 2003), amended LR 32:835 (May 2006), LR 45:

#### **§709. Equipment Required in Salons Offering**

##### **Manicuring Services**

A. - A.5 ...

6. manicuring table;

7. lavatory with hot and cold running water; and

8. water basin or pedicure chair for salons offering pedicure services.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S.37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:330 (March 2003), amended LR 32:835 (May 2006), amended by the Office of the Governor, Board of Cosmetology, LR 44:911 (May 2018), LR 45:

#### **§710. Equipment Required in a Threading Facilities**

A. Threading Equipment. Threading shall not be performed in any threading facility or salon unless the following items are available for use:

1. hand washing sink;
2. hot and cold running water;
3. stool for operator and chair for client;
4. lamp;
5. sanitizers or sterilizers for implements;
6. thread;
7. towels;
8. covered waste bins; and
9. covered container for towels.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Board of Cosmetology, LR 45:

#### **§711. Procedures for Esthetics Services**

A. - B.1. ...

2. wash all implements with antimicrobial wash prior to sanitization or sterilization;

3 - 4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended LR 45:

#### **§715. Disposable Equipment**

A. - A.8. ...

9. cotton pads;
10. emery boards; and
11. razors.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(9).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:331 (March 2003), amended LR 45:

### **Chapter 17. Miscellaneous Provisions**

#### **§1707. Remodeling**

A. Application. When any school, salon, or mobile salon desires to remodel, a notice of intent shall be submitted to the board.

B. Temporary Premises. If remodeling requires the use of temporary premises for the continuance of operation during remodeling, an inspector may approve such temporary premises as are adequate provided such premises are sanitary and sufficient for use during the stated time period.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:913 (May 2018), LR 45:

#### **§1709. Picture Identification**

A. All licensees and permittees shall have in their possession a valid driver's license or identification card issued pursuant to R.S. 40:1321, or other generally recognized picture identification card that includes the name of the licensee or permittee picture identification at any time at which a service is being performed.

B. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended LR 29:2782 (December 2003), amended by the Office of the Governor, Board of Cosmetology, LR 44:913 (May 2018), LR 45:

#### **§1711. NSF Checks**

A. Late Fee. If a check received by the board is returned to the board by the bank due to non-sufficient funds the payment date shall be the date of receipt of valid payment, any bank charge imposed on the board and any applicable late fee.

B. Revocation. If a license was issued before a check is returned to the board by the bank due to non-sufficient funds, the applicant's license shall be subject to revocation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:575(A)(2).

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Board of Cosmetology, LR 29:334 (March 2003), amended LR 45:

#### **Family Impact Statement**

The proposed Rule does not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known foreseeable impact on:

1. the stability of the family;
2. the authority and rights of persons regarding education and supervision of their children;
3. the functioning of the family;
4. family earnings and budget;
5. the behavior and personal responsibility of children;
6. the ability of the family or a local government to perform the function as contained in the proposed Rule.

#### **Poverty Impact Statement**

The proposed Rule does have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

1. the effect on household income, assets and financial security;
2. the effect on early childhood development and preschool through postsecondary education development;
3. the effect on employment and workforce development;
4. the effect on taxes and tax credits;
5. the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

#### **Provider Impact Statement**

The proposed Rule does not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

1. the effect on the staffing level requirements or qualifications required to provide the same level of service;
2. the total direct and indirect effect on the cost to the providers to provide the same level of service; or
3. the overall effect on the ability of the provider to provide the same level of service.

#### **Public Comments**

Interested persons may submit written comments, data, opinions, and arguments regarding the proposed Rule. No preamble has been prepared. Written submissions shall be directed to Steve Young, 11622 Sunbelt Court, Baton Rouge, LA 70809 and must be received no later than noon on Monday, February 11, 2019.

Steve Young  
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT  
FOR ADMINISTRATIVE RULES  
RULE TITLE: Cosmetology

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO  
STATE OR LOCAL GOVERNMENT UNITS (Summary)

The proposed rule changes will have indeterminable costs to local school districts which elect to implement the curriculum. The proposed rule changes clarify several sections involving instructor licensure, student hours, student coursework, student responsibilities, and other procedures concerning cosmetology schools. The proposed rule changes establish a cosmetology theory course in certain high schools for enrolled students who are at least 16 years of age and have completed the 10th grade. This course will require classrooms to meet the same requirements applicable to satellite classrooms (R.S. 37:596) and to meet the same student teacher ratio of no more than 20 students per instructor (LAC 46:XXXI.315(E)) applicable to cosmetology schools. To the extent a cosmetology course is offered, the school system will be required to hire an additional (cosmetology) instructor. To the extent the cosmetology course is offset with other course offering reductions, these costs will be mitigated. Actual costs will vary by district and are indeterminable at this time.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE  
OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rule changes will have no effect on revenue collections of state and local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO  
DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL  
GROUPS (Summary)

Proposed rule changes will increase access to cosmetology courses by offering a curriculum which will enable high school students to earn up to 500 hours of credit which can be transferred to a cosmetology school to be credited toward the total number of hours required to apply for licensure.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT  
(Summary)

The proposed rule changes are anticipated to have a positive effect on competition and employment. It will allow threading services to be performed in a facility with less equipment requirements than cosmetology and esthetics salons.

Steve Young  
Executive Director  
1901#066

Evan Brasseaux  
Staff Director  
Legislative Fiscal Office

NOTICE OF INTENT

Office of the Governor  
Boxing and Wrestling Commission

Professional Wrestling  
(LAC 46:XI Chapter 5)

The Louisiana State Boxing and Wrestling Commission does hereby exercise the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., to adopt the following Rule. This proposed Rule is necessary to promote the safety of contestants, other participants and spectators, to repeal sections previously moved to the general rules, to clarify and update wrestling rules pursuant to prohibited wrestling holds and moves to national and international wrestling standards and enforcement thereof. This Notice of Intent also introduces new Class "B" wrestling standards pursuant to legislation passed in the 2018 Regular Session, HB 502.

Title 46  
PROFESSIONAL AND OCCUPATIONAL  
STANDARDS

Part XI. Boxing and Wrestling

Chapter 5. Professional Wrestling

Subchapter A. Class "A" Wrestling

§501. Ring Rules

A. In addition to the rules set forth below, Chapter 1. General Rules set forth above shall apply to Professional Wrestling.

AUTHORITY NOTE: Adopted in accordance with R.S. 4:61(D) and R.S. 4:64.

HISTORICAL NOTE: Adopted by the Department of Commerce, Boxing and Wrestling Commission, 1967, amended 1974, amended by the Office of the Governor, Boxing and Wrestling Commission, LR 45:

§503. Special Wrestling Rules

A. The following special rules and regulations apply particularly to all persons and parties licensed as wrestlers, wrestling managers, wrestling commissions, wrestling promoters and wrestling matchmakers, or to any other individual issued a wrestling license by this commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Boxing and Wrestling Commission, LR 45:

§505. Commission Representative Present at Wrestling  
Show

A. Each wrestling match shall be attended by either a commission member or commission representative, hereinafter "commission official." The commission official shall have the full power to act on behalf of the commission to interpret, construe, and fully enforce all the rules of the commission and each such official has the power and authority to immediately suspend, without prior notice, any licensee for any violation of the rules of the commission or of the laws of this state.

B. The commission official in charge of any wrestling contest or exhibition shall have complete authority over all phases of the event, including entrances for participants, officials, and employees; the ring and ringside, including press, radio and television accommodations; over all the dressing rooms of participants and officials; the counting and accounting for all tickets, including working press, complimentary tickets for participants, officials, and employee tickets; the collection of all fees, and the issuance of all licenses and the fees therefore.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Boxing and Wrestling Commission, LR 45:

§507. Officials

A. The promoter shall provide all officials for the event, including the referee. The promoter is responsible to the commission for all actions of these appointed officials. The failure to manage, appoint or properly supervise said officials may lead to the suspension of the promoter.

B. The commission official can over-rule the promoter's choice of official and require that another official be appointed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:61(D) and R.S. 4:64.



WHEREAS, it is necessary for the Occupational Licensing Review Commission (OLRC) to issue a resolution regarding the approval or denial of specific occupational regulations submitted for its review:

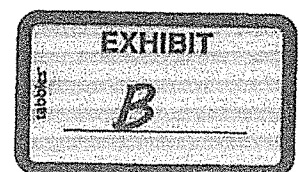
NOW, THEREFORE, BE IT RESOLVED BY THE OCCUPATIONAL LICENSING REVIEW COMMISSION, that the following occupational regulations, as defined by Louisiana Revised Statutes 37:43(7), shall be known to have been approved by the OLRC at a duly called meeting of its members on February 12, 2019. The OLRC finds that these occupational regulations comply with the state policy set forth in Louisiana Revised Statutes 37:44 and authorizes the respective occupational licensing boards to initiate promulgation of the regulations in accordance with the Administrative Procedure Act.

• **Rules of the Louisiana State Board of Architectural Examiners**

- LAC 46:I.1101. Registration Information
  - Increases the fee of an initial license of an in-state applicant by \$15 (from \$75 to \$90) effective November 1, 2019.
- LAC 46:I.1105. Licenses
  - Clarifies that the board issues licenses and not certificates to individual architects. The rule will also establish a fee of \$30 for a replacement license.
- LAC 46:I.1301. Renewal Procedure
  - Increases the fee for a renewal license for an in-state architect by \$15 (from \$75 to \$90). Increases the license renewal fee for an out-of-state architect by \$25 (from \$150 to \$175). Increases the delinquent fee for an in-state architect by \$5 (from \$105 to \$110) and for an out-of-state architect by \$20 (from \$180 to \$200).

• **Rules of the Louisiana State Board of Cosmetology**

- LAC 46:XXXI.309. Examination of Applicants
  - Section E. Examination
    - Removes the requirement for applicants to bring a mannequin "with the head styled for comb out" to the examination.
- LAC 46:XXXI.310. Requirements for High School Cosmetology Courses
  - Section A. Curriculum
    - Establishes a cosmetology theory course in high schools
  - Section B. Registration
    - Provides that high schools may register students who are enrolled within the school system, at least 16 years old, and have completed the 10th grade.
  - Section C. Faculty
    - Requires each faculty member who teaches cosmetology theory to have an active Louisiana Cosmetology Instructor License. Requires at least one active Louisiana Cosmetology Instructor to be available for substitution if the regular instructor is unavailable.
  - Section D. Classrooms
    - Requires the school to submit a detailed floor plan of the proposed classroom, drawn to scale to the board for approval.
    - Requires the classroom to be at least 400 square feet, have the equipment necessary for demonstration, and have adequate ventilation.
    - Establishes a student to teacher ratio of 20 to 1.
    - Prohibits a clinic from being operated in a high school and prohibits the performance of services for the public or on paying clients at a high school.
- LAC 46:XXXI.311. Reporting School Hours
  - Section A. Registration
    - Reduces the time for schools to register students from 60 to 45 days from the date that class begins. Reduces the maximum number of



- hours that will be accepted at the time of registration to those hours earned within 45 days (decreased from 60 days) before registration.
  - Creates a rule that any registration received by the board after 45 days is considered late and establishes a fee schedule for those late registrations.
  - Allows the board's staff to register the student and credit his/her hours earned upon payment of the late registration fine and provided the school waives its right to a hearing by the board.
- Section B. Hours
  - Provides that schools may correct hours submitted to the board within 60 days without any fine.
  - Allows schools to correct hours submitted to the board after 60 days upon payment of a fine of \$50 per month for each student record corrected and provided the school waives its right to a hearing by the board.
- Section C. Attendance
  - Changes the requirement that the school owner must certify the student's attendance hours by permitting a representative designated by the school owner to certify the hours.
- LAC 46:XXXI.315. Responsibilities of Schools
  - Section A. Enrollment
    - Creates a new rule requiring schools to verify all student registration documents within 30 days of the student beginning class.
    - Provides that if a school is not in possession of all required registration documents then the student cannot attend class for course credit or be charged student fees for attending class.
  - Section E. Faculty
    - Clarifies that no school shall employ an instructor who has an expired and/or inactive instructor's license to teach classes.
    - Removes the requirement for a senior instructor to supervise all other faculty members.
  - Section G. School Closing
    - Requires any school owner intending to close a school to notify the board in writing as soon as possible. Requires the school to provide electronic copies of documents relative to the closing to the board office.
  - Section J. Registrations
    - Allows student registrations to be kept in a binder in a place accessible to students during regular school hours.
  - Section L. Library
    - Repeals section L to remove the requirement for cosmetology schools to maintain a library.
  - Section P. Clinic Floor
    - Clarifies that the minimum requirements for students to perform services on the clinic floor are a student registration and completion of 100 hours in the curriculum. Dictates that students are only allowed to perform services within the curriculum in which they are registered.
  - Section Q. Uniform Policy
    - Requires schools to adopt and implement a uniform policy consistent with §321 by July 1, 2019.
  - Section R. Changes
    - Requires schools to request written board approval of any change in the curriculum, class schedule, or hours of school operation which impacts students prior to implementing the change unless the change is due to an emergency. Schools are required to notify the board of any emergency changes as soon as possible.
- LAC 46:XXXI.317. Equipment Required in Cosmetology Schools
  - Section A. Equipment
    - Decreases the required number of hair dryers from 6 to 3.
    - Removes the requirement for sufficient trays and supplies.



- Replaces the requirement of wet and dry sanitizer for each occupied station with a requirement of a single sanitizing station with an adequate supply of wet sanitizer.
- Clarifies that the required 6 extra mannequins are for teaching purposes.
- Clarifies that the required 20 working stations must have space for working and supplies.
- Section B. Classroom
  - Makes the rule consistent with La. R.S. 37:595(A) requiring cosmetology schools to have a minimum of 3,500 square feet and for classrooms to have a minimum of 400 square feet.
  - Removes the requirement that classrooms have a "modern" anatomy chart.
  - Permits the use of a dry erase or electronic board for teaching and removes the minimum size for marker or chalk boards.
- LAC 46:XXXI.321. Responsibilities of Students
  - Section C. Uniforms
    - Makes the school uniform requirements applicable to male students.
    - Removes the requirement for hose as an option.
    - Removes the list of prohibited clothing.
  - Section D.
    - Proposed rule requires that students adhere to the school's uniform policy.
  - Section E. Hours
    - Clarifies that student hours only become invalid if the student does not complete the curriculum.
    - Provides that earned hours do not expired if the student completes the curriculum.
- LAC 46:XXXI.501. Booth Renters
  - Section A. Agreement
    - Clarifies that an individual performing cosmetology services in a salon who is not paid by commission, an hourly rate, or a salary must obtain a booth renter's permit.
    - Provides that a booth renter's permit will be issued after an inspection of the booth prior to services being performed in the booth.
    - Provides that booth renter's permits are non-transferable.
- LAC 46:XXXI.505. Cosmetology Instructors
  - Section A. Instructors
    - Removes "Gold Stamp" licensing and clarifies that an active cosmetology instructor's license is required to teach a cosmetology, manicuring, esthetics, or any other course required for licensure.
  - Section B. Master Instructors
    - Clarifies that to become a master instructor, an instructor must have a minimum of five consecutive years of teaching experience and have completed 16 hours of continuing education for five consecutive years.
  - Section C. Reinstatements
    - Provides that an expired or inactive instructor's license may be reinstated or renewed only if the applicant has completed the required continuing education hours within the 24 months prior to the application for renewal or reinstatement.
  - Section D. Continuing Education
    - Provides that licensed instructors must obtain 16 hours of continuing education every two years to maintain active status.
- LAC 46:XXXI.707. Equipment Required in Salons Offering Esthetics Services
  - Section A. Equipment
    - Technical amendment changing the word "therapist" to "operator."
- LAC 46:XXXI.709. Equipment Required in Salons Offering Manicuring Services
  - Section A. Manicuring Equipment
    - Adds "a water basin or pedicure chair" to the list of required equipment for manicuring salons offering pedicures.
- LAC 46:XXXI.710. Equipment Required in Threading Facilities

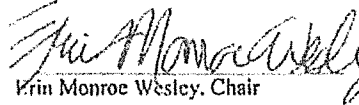
- Section A. Threading Equipment
      - Establishes a list of required equipment for threading facilities.
  - LAC 46:XXXI.711. Procedures for Esthetics Services
    - Section B. Procedures
      - Technical amendment corrects the misspelling of the word "antimicrobial."
  - LAC 46:XXXI.715. Disposable Equipment
    - Adds razors to the list of equipment which is disposable.
  - LAC 46:XXXI.1707. Remodeling
    - Section A. Application
      - Replaces the word "application" with "notice of intent" for any school, salon, or mobile station seeking to remodel.
    - Section B. Temporary Permits
      - Changes the requirement that an inspection and approval of temporary premises during remodeling be performed by a "board member inspector" to "an inspector."
  - LAC 46:XXXI.1709. Picture Identification
    - Clarifies the type of picture identification licensees or permittees must have in their possession when performing services includes a valid driver's license, a valid identification card issued pursuant to La. R.S. 40:1321, or other generally recognized identification card that includes the name and picture of the licensee or permittee.
  - LAC 46:XXXI.1711. NSF Checks
    - Clarifies that if a check is returned by the bank for non-sufficient funds, the payment date will be the date of receipt of valid payment and any applicable late fee will apply.
    - Clarifies that any license issued prior to the board receiving notice from the bank of non-sufficient funds will be subject to revocation.
- **Rules of the Louisiana Board of Professional Geoscientists**
  - LAC 46:LXII.1501. Seals
    - Provides a non-exclusive list of the types of documents included in the definition of "geoscience document" and delineates how professional geoscientists should affix their stamps to geoscience documents.
- **Rules of the Louisiana Licensed Professional Counselors Board of Examiners**
  - LAC 46:LX.3105. Definitions for Licensed Marriage and Family Therapists and Provisional Licensed Marriage and Family Therapists
    - Clarifies the definition of "active supervision."
  - LAC 46:LX.3309. Academic Requirements for MFT Licensure or Provisional Licensure
    - Technical amendment to clarify the academic requirements set forth in La. R.S. 37:1116.
  - LAC 46:LX.3315. Application, Practice, and Renewal Requirements for Provisional Licensed Marriage and Family Therapists
    - Section C. PLMFT Supervision Requirements for Licensure
      - Clarifies that supervision experience hours for PLPC and PLMFT may be accrued concurrently after receiving approval from the board.
      - Provides that the advisory committee has the discretion to approve the transfer of direct and indirect hours and supervision from out of state.
      - Changes the requirement of the 100 hours of face-to-face supervisor contact from "only 50 hours may" to "50 hours must" be counted as individual supervision.
      - Provides that concurrent accrual of hours may not begin until both provisional licenses have been approved if approval was not obtained on the same date. Prohibits retroactive supervision experience hours.
  - LAC 46:LX.3316. Active, Inactive, Lapse, Retirement Status
    - Enacts and provides for definitions of active status, inactive status, lapse status, and retirement status.
    - Active Status

- Defines active status as one that is current and allows the LMFT and PLMFT to practice marriage and family therapy.
- Inactive Status
  - Defines inactive status as one which allows a licensee to pause his/her license for a period of up to one year during which the LMFT or PLMFT may not practice mental health counseling.
  - Prohibits a licensee from requesting inactive status if his/her license has already lapsed or to avoid disciplinary action.
  - Provides that a licensee may be eligible for "inactive status" if one or more of four conditions are met and the licensee provides documentation.
- Lapsed Status
  - Defines a lapsed license as one which the licensee did not request inactive status or retired status by the date of license expiration. Lapsed Status is automatic and assigned due to inaction by the licensee.
  - Prohibits a licensee from providing mental health counseling while in lapsed status.
  - Provides that a LMFT or PLMFT must follow procedures for reinstatement in order to renew his/her license and will incur a late fee in addition to the renewal fee.
  - Provides that a lapsed license may be renewed within 90 days after the date of licensure lapse upon the payment of all fees and evidence of completion of continuing education hours.
  - Requires a LMFT or PLMFT to apply for licensure after 90 days.
- Retired Status
  - Defines retired status as one for those retired from the profession.
  - Prohibits a licensee from providing mental health counseling while in retired status.
  - Provides that a LMFT cannot apply for retired status if his/her license is already expired.
  - Provides that a retired LMFT must reapply under current licensure requirements if he/she wants to reenact his/her license.
- LAC 46:LX.3317. Qualifications of the LMFT-Approved Supervisor, LMFT-Registered Supervisor Candidate, and Registered Supervisor Candidate
  - Section D. Requirements for Registration as a Registered Supervisor Candidate
    - Removes the requirement that the 90 hours of supervision be completed in no more than 3 years.
- LAC 46:LX.3319. Responsibilities of the Provisional Licensed Marriage and Family Therapist
  - Section C. Revocation, Suspension, or Limitation of the Terms of the Provisional Licensure of the PLMFT
    - Requires a board-approved supervisor to attend a LMFT board-approved supervisor's orientation within one year of the supervisor's date of certification.
    - Allows the board-approved supervisor to count the orientation as continuing education for license renewal as a marriage and family therapist.
- LAC 46:LX.3701. Endorsement
  - Provides for requirements for Louisiana licensure endorsement of a person licensed as a marriage and family therapist in another jurisdiction.
  - Decreases the amount of time the applicant must have practiced marriage and family therapy from five years to "at least one licensure renewal cycle."
  - Requires the applicant to submit documentation of CEHs within two years of the date of application for licensure endorsement in Louisiana.
  - Allows for the issuance of a license to a person licensed as a LMFT for at least two years in another jurisdiction whose requirements for licensure are substantially equivalent to or exceed those of the state of Louisiana.

• Rules of the Louisiana Physical Therapy Board

- LAC 46:LIV.120. Rule Promulgation, Amendment, and Appeal Procedures
  - Provides for procedures for the adoption of rules and advisory opinions to comply with the mandate of La. R.S. 49:953(C).
- LAC 46:LIV.121. Declaratory Orders and Advisory Opinions
  - Provides for procedures for declaratory orders and advisory opinions to comply with the mandate of La. R.S. 49:953(C).
- LAC 46:LIV.123. Definitions
  - Changes the definitions of "continuous supervision" and "HIPDB".
- LAC 46:LIV.337. Clinical Instruction of Student PTs and PTAs
  - Provides that a PT student shall receive on-premises supervision by a clinical instructor while a PTA student must receive continuous supervision by a clinical instructor.

This Resolution was ADOPTED by unanimous vote of the Commission on February 12, 2019.

  
Erin Monroe Wesley, Chair

## Thomas Devillier

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**From:** Boards Commissions <Boards@la.gov>  
**Sent:** Wednesday, February 27, 2019 10:51 AM  
**To:** Thomas Devillier  
**Subject:** RE: 1140.0015 LSBC/Rules - Notice and Request for 2nd OLRC Approval

Mr. Devillier,

Sorry, I didn't see the question at the bottom when I first responded.

As there were no changes made to the proposed rules, the board may proceed with submitting them to the appropriate legislative committees.

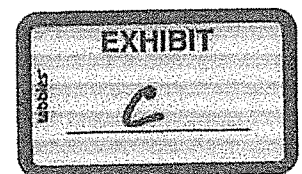
Thanks,  
Ellen

**Ellen Palmintier**  
*Assistant Executive Counsel*  
*Director of Boards & Commissions*



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**From:** Thomas Devillier [mailto:tdevillier@daiglefisse.com]  
**Sent:** Wednesday, February 27, 2019 10:24 AM  
**To:** Boards Commissions  
**Cc:** Ellen Palmintier  
**Subject:** 1140.0015 LSBC/Rules - Notice and Request for 2nd OLRC Approval  
**Importance:** High



Ms. Palmintier:

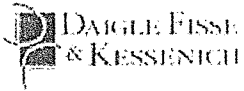
In accordance with La. R.S. 37:45(D), the Louisiana State Board of Cosmetology intends to proceed with submitting notice of final regulation to the proper legislative oversight committees. Further, as indicated in the LSBC's Notice of Intent published in the January 20, 2019 LA Register, the public comment period relative to these rules ended at noon on Monday, February 11, 2019.

Therefore, please accept this email correspondence as notice to the commission that no changes were made to the proposed rules following either the required public comment period or the OLRC's February 12, 2019 approval (attached) of the aforementioned rules. Additionally, no comments were received and no additional meeting was held by the LSBC as a result of the public comment period. As the OLRC has already approved the

rules following the public comment period and the rules have not been modified in any manner, the LSBC respectfully urges the OLRC that it is unnecessary to require approval at a 2<sup>nd</sup> OLRC public meeting.

Please advise whether you approve LSBC's proceeding to submission to the proper legislative oversight committees.

Thank you,



**Thomas E. Devillier**

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