

CHAPTER Bar 300 **BARBER, COSMETOLOGIST, ESTHETICIAN, MANICURIST, AND MASTER BARBER** LICENSING REQUIREMENTS

Statutory Rulemaking Authority RSA 313-A:8

PART Bar 301 **APPLICATIONS AND ADMINISTRATIVE PROCEDURES**

Repeal Bar 301.01, effective 3/18/16 (Document #11055), as follows:

~~[Bar 301.01 Apprentice Application.~~

~~—— (a) Upon the board's receipt of a request for an application for registration as an apprentice, the board shall send the applicant an application for registration as an apprentice.~~

~~—— (b) Each applicant for an apprentice registration shall complete and submit to the board an application for registration as an apprentice including:~~

~~(1) The applicant's name, address, and telephone number;~~

~~(2) The appropriate type of apprenticeship:~~

~~a. Cosmetology;~~

~~b. Barbering;~~

~~c. Master Barber;~~

~~d. Manicuring; or~~

~~e. Esthetics;~~

~~(3) A check, money order, electronic payment, or cash in the amount of \$25.00;~~

~~(4) A copy of a birth certificate or driver's license providing proof of age as required by RSA 313-A:24, II (a); a copy of the applicant's high school diploma or equivalent if the applicant is under 21 years of age, or a letter from the applicant's high school indicating that he or she is currently enrolled and on track for graduation; and~~

~~(5) Whether the applicant:~~

~~a. Has been convicted of a felony or misdemeanor, other than a traffic violation, which has not been annulled by a court, and, if yes, the applicant shall submit:~~

~~(i) A Court provided copy of the charge(s), conviction(s), penalties imposed, and a statement created by the applicant relative to the charges;~~

~~(ii) If the applicant is currently on probation, the probation officer's name, mailing address, and telephone number, a letter from the probation officer stating that the applicant is in compliance, and;~~

(iii) ~~If the applicant has completed probation or parole, a letter indicating that the applicant met all the requirements and is no longer on parole or probation;~~

~~b. Is addicted to the use of alcohol or other habit-forming drugs to a degree rendering him or her unfit to practice under RSA 313-A;~~

~~c. Has had any past disciplinary action against him or her in any jurisdiction in which registration is similar to the one requested to have issued under this application; and~~

~~d. Has been determined by a court to be mentally incompetent, or has been told by health practitioner or mental health practitioner that he or she has a mental condition that would impair his or her ability to practice the profession for which they are seeking registration under RSA 313-A;~~

~~(6) The applicant's social security number; and~~

~~(7) A date and signature or electronic signature affirming the following pledge: "I, hereby certify that the statements made on this application and in any other documents submitted in connection with this application are true and accurate. I have not withheld information that is requested. I am aware that a false, dishonest, or misleading answer may be grounds for: 1) denial of this application; 2) disciplinary action against my license; and further that false statements are punishable by law"; and~~

~~—— (e) The applicant may provide to the board any information explaining or providing background to the affirmative answer(s) in (5) above.~~

~~—— (d) If the apprenticeship will take place in a school licensed in accordance with RSA 313-A:9, IV, the school's owner, or his or her designee, shall:~~

~~(1) Provide the name, address, and telephone number of the school where the instruction will take place;~~

~~(2) Include the enrollment date; and~~

~~(3) Sign or electronically sign, and date the application.~~

~~—— (e) If the apprenticeship will take place in a shop, licensed in accordance with RSA 313-A:19, the shop instructor shall be licensed in accordance with RSA 313-A:9, V.~~

~~—— (f) The shop instructor shall:~~

~~(1) Provide the name, address, and telephone number of the shop where the instruction will take place;~~

~~(2) Include the enrollment date; and~~

~~(3) Sign and date the application.~~

~~—— (g) An applicant for a shop instructor license shall:~~

- (1) In accordance with RSA 313-A:10, I(c)(2) and RSA 313-A:11, I(c)(2), have been engaged in the practice within the state for at least 2 years;
- (2) Submit to the board a check, money order, electronic payment, or cash in the amount of \$50.00; and
- (3) Supply the following on the application for registration as an apprentice form:
 - a. His or her New Hampshire license number;
 - b. His or her initial New Hampshire licensure date; and
 - c. His or her signature and current date affirming the statement “I certify that the apprentice whose name is stated above is serving his or her apprenticeship training under my direction. I agree to notify the board office in writing when the apprenticeship is completed or has terminated. I understand by signing this application I agree to ensure the apprentice is in compliance with board’s administrative rules and governing statute and should the apprentice fail to comply, I will be subject to disciplinary action by the board”.]

Repeal Bar 301.02, effective 4/2/15 (Document #10808), as follows:

~~[Bar 301.02 Procedure for Approving and Denying an Application for Apprentices:~~

- ~~—— (a) Upon the board's receipt of an application, the board shall approve or deny the application within 30 days of receipt.~~
- ~~—— (b) If the applicant answered in the negative to all the statements in Bar 301.01 (b) (5), the applicant shall be deemed by the board to be of good professional character.~~
- ~~—— (c) If the applicant answered in the affirmative, the board shall determine if this person is of good professional character after reviewing factors surrounding the affirmative answer.~~
- ~~—— (d) Factors the board shall take into consideration shall be as follows:~~
- ~~(1) Whether the person has been found guilty of abuse, neglect, exploitation of any person or has been convicted of child endangerment, fraud or a felony against a person in this or any other state by a court of law;~~
 - ~~(2) Whether the person has a current mental condition affecting the ability to practice the profession;~~
 - ~~(3) The length of time that has passed since the crime or disciplinary action;~~
 - ~~(4) Information showing the positive answer is not indicative of the persons current character; and~~
 - ~~(5) Any relevant circumstances surrounding the affirmative answer.~~

—— (e) The board shall approve an application and issue an apprentice registration with the shop instructor's name, when applicable, if:

- (1) Application for registration as an apprentice is completed in accordance with RSA 313-A:24 and Bar 301.01;
- (2) The shop instructor meets the requirements of Bar 301.01(e); and
- (3) The applicant is deemed to be of good professional character.

—— (f) The board shall deny an application if:

- (1) The application is not completed in accordance with RSA 313-A:24 and Bar 301.01;
- (2) The shop instructor applicant does not meet the requirements of Bar 301.01(f); or
- (3) The applicant is not deemed to be of good professional character.

—— (g) If the board denies an applicant pursuant to (f), above, the board shall return the application to the applicant with all attachments and a letter as follows:

- (1) Referencing the statute or rule the applicant has not complied with;
- (2) Explaining what the applicant shall do in order to become registered or licensed; and
- (3) Providing the secretary's name and telephone number for further assistance.

—— (h) The board shall send a copy of the letter described in Bar 301.02(g), to the school or the proposed shop instructor.]

Repeal Bar 301.03 and Bar 301.04, effective 3/18/16 (Document #11055), as follows:

[Bar 301.03 Apprenticeship.

—— (a) “Reflexology” means the study and interpretation of reflex component of the function of a body part, system, or of a particular kind of activity.

—— (b) The number of hours of instruction to complete an apprenticeship shall be in accordance with:

- (1) For barbers, RSA 313-A:10, I(c)(1) or (2);
- (2) For cosmetologists, RSA 313-A:11, I(c)(1) or (2);
- (3) For manicurists, RSA 313-A:12, I, or, pursuant to RSA 313-A:12, II, 600 hours in a shop apprenticeship program;
- (4) For estheticians, RSA 313-A:13 or, pursuant to RSA 313-A:13, 1200 hours in a shop apprenticeship program; and
- (5) For a master barber, RSA 313-A:10 III, (c) (1) or (2).

—— (c) The apprentice shall receive the following types of instruction:

(1) For barber apprentices:

- a. Shampooing;
- b. Haircutting;
- c. Hairstyling, for men and women;
- d. Razor cutting;
- e. Shaves and beard trim;
- f. Scalp massaging;
- g. Hair analysis;
- h. Hairpieces;
- i. Business management and salesmanship;
- j. Textbook theory, which shall consist of reading textbooks in regard to barbering;
- k. State laws and rules; and
- l. Bacteriology safety and sanitation;

(2) For cosmetology apprentices:

- a. Shampooing;
- b. Hairstyling;
- c. Hair shaping;
- d. Hair coloring, including temporary, semi-permanent, and permanent;
- e. Permanent waving and straightening;
- f. Hair analysis and scalp treatments;
- g. Facials and waxing, including contraindications;
- h. Manicuring and pedicuring;
- i. Bacteriology, safety, and sanitation;
- j. Personal development;

- ~~k. Business management and salesmanship;~~
- ~~l. State laws and rules;~~
- ~~m. Textbook theory, which shall consist of reading textbooks, no more than 5 years old, in regard to cosmetology;~~
- ~~n. Sculptured nail, nail tip, nail wrap, and gel application; and~~
- ~~o. Reflexology and massage as it relates to cosmetology, manicuring, and pedicuring services;~~

~~(3) For esthetic apprentices:~~

- ~~a. Textbook theory, which shall consist of reading textbooks no more than 5 years old, in regard to esthetics;~~
- ~~b. Anatomy and physiology;~~
- ~~c. Bacteriology, safety, and sanitation;~~
- ~~d. Basic chemistry of ingredients;~~
- ~~e. Professional practices;~~
- ~~f. Facial and body treatments;~~
- ~~g. Treatments for facial and body hair;~~
- ~~h. Reflexology and massage as it relates to esthetic services;~~
- ~~i. Pedicuring;~~
- ~~j. Makeup services; and~~
- ~~k. State laws and rules;~~

~~(4) For a manicuring apprentice:~~

- ~~a. Bacteriology, safety and sanitation;~~
- ~~b. Professional practice;~~
- ~~c. Basic manicuring;~~
- ~~d. Sculptured nail, nail tip, nail wrap and gel application;~~
- ~~e. Pedicuring;~~
- ~~f. Proper drill use;~~

~~g. Textbook theory, which shall consist of reading textbooks, no more than 5 years old, in regard to manicuring;~~

~~h. State laws and rules; and~~

~~i. Reflexology and massage as it relates to manicuring and pedicuring; and~~

~~(5) For master barber apprentices:~~

~~a. Shampooing;~~

~~b. Haircutting;~~

~~c. Hairstyling, for men and women;~~

~~d. Razor cutting;~~

~~e. Shaves and beard trim;~~

~~f. Scalp massaging;~~

~~g. Permanent waving and straightening;~~

~~h. Coloring~~

~~i. Hair analysis;~~

~~j. Hairpieces;~~

~~k. Business management and salesmanship;~~

~~l. Textbook theory, which shall consist of reading textbooks in regard to barbering;~~

~~m. State laws and rules; and~~

~~n. Bacteriology safety and sanitation.~~

~~—— (d) Each student, at the beginning of the course, shall receive a course outline, including:~~

~~(1) The name of the course;~~

~~(2) A course description;~~

~~(3) The course goals;~~

~~(4) The contents of the units of instruction and, as applicable, hours;~~

~~(5) The course format; and~~

~~(6) The grading procedures.~~

~~—— (e) For a student enrolled in a cosmetology program not offering the 1500 hours in a career and technical program within a high school with an 83 minute a day block or less, the maximum apprenticeship hours shall be no more than 325 hours as follows:~~

- ~~(1) Orientation, 6 hours;~~
- ~~(2) Your professional image, 5 hours;~~
- ~~(3) Infection control including principles and practice, 26 hours;~~
- ~~(4) Shampooing, rinsing, conditioning, 18 hours;~~
- ~~(5) Wet hairstyling, thermal styling, thermal pressing, 110 hours;~~
- ~~(6) Principles of design, 10 hours;~~
- ~~(7) Manicuring and pedicuring, 30 hours;~~
- ~~(8) Facials, 25 hours;~~
- ~~(9) Facial make-up, 15 hours;~~
- ~~(10) Removal of unwanted hair, 10 hours;~~
- ~~(11) Seeking employment, 5 hours;~~
- ~~(12) Properties of hair and scalp, 20 hours;~~
- ~~(13) Introduction to hair cutting, 40 hours; and~~
- ~~(14) Orientation to clinic floor, 5 hours.~~

~~—— (f) For a student enrolled in a cosmetology program not offering the 1500 hours in a career and technical program within a high school with 84 minutes a day block, or more, in addition to Bar 301.03(e), the maximum apprenticeship hours shall be no more than 35 hours as follows:~~

- ~~(1) Perm wrapping, 20 hours; and~~
- ~~(2) Color application, 15 hours.~~

~~—— (g) A career and technical high school student apprentice enrolled in a 360 hour maximum program shall be required to take an exam in order to obtain the hours in subjects described in Bar 301.03(e) and (f). The passing grade shall be 75%.~~

~~—— (h) If the student apprentice enrolled in a 360 hour maximum program passes the examination, he or she shall receive the hours described in Bar 301.03(e) and (f) for the subject portion of the written exam passed.~~

~~—— (i) If the student apprentice enrolled in a 360 hour maximum program fails the examination, he or she shall not receive the hours described in Bar 301.03(e) and (f) for the subject portion of the written exam failed.~~

~~—— (j) At the discretion of the receiving school a career and technical high school student apprentice may transfer hours, previously acquired at the career and technical high school program.~~

~~—— (k) The written exam that was administered by the career and technical high school shall be forwarded to the applicant's post-secondary school of choice.~~

~~—— (l) A career and technical high school student apprentice enrolled in a program offering at least a 3-year 1500 hour course shall receive the following types of instruction:~~

- ~~(1) Shampooing;~~
- ~~(2) Hairstyling and shaping;~~
- ~~(3) Hair coloring, including, temporary, semi-permanent, and permanent;~~
- ~~(4) Chemical waving and straightening;~~
- ~~(5) Hair analysis and scalp treatments;~~
- ~~(6) Basic skin care including facials, hair removal, and contraindications;~~
- ~~(7) Wigs, extensions, and enhancements;~~
- ~~(8) Manicuring and pedicuring;~~
- ~~(9) Infection control;~~
- ~~(10) Bacteriology, safety, and disinfection;~~
- ~~(11) Professional development;~~
- ~~(12) Business management and sales;~~
- ~~(13) Artificial nails and enhancements;~~
- ~~(14) Reflexology as it relates to cosmetology services;~~
- ~~(15) Textbook theory; and~~
- ~~(16) State laws.~~

~~—— (o) A shop apprentice's hours shall not be transferable to a school. A student apprentice's hours shall not be transferable to a shop.~~

~~—— (p) A shop apprentice may transfer to another shop apprenticeship. A student apprentice may transfer to another school.~~

~~—— (m) If an apprentice wishes to transfer to, or re-enroll in another apprenticeship, the apprentice shall reapply in accordance with Bar 301.01, and attach a letter stating that he or she is a transfer or re-enroll apprentice. When transferring or re-enrolling in an apprenticeship, the apprentice shall reapply~~

within 12 months of the termination date of the initial apprenticeship in order to maintain all of his or her accumulated hours. If an apprentice reapplies after 12 months, but before 24 months, he or she shall maintain half of his or her accumulated hours. If an apprentice reapplies after 24 months he or she shall not maintain any of his or her accumulated hours.

—— (n) Apprentices shall sanitize and disinfect areas of the school or salon where there might be a threat to the health of the apprentice or the general public.

—— (o) Any post-secondary school that wishes to implement online education shall clearly state in the student apprentice contract that other schools or states might not recognize any online education hours obtained.

—— (p) The school shall determine if prospective student apprentices possess the skills and comprehension necessary to succeed in an online education environment and maintain in each student's record documentation of the method used to determine the student's skill and comprehension.

—— (q) The school shall track and record the student's progression in the online education course(s).

—— (r) The school shall ensure the student demonstrates participation in the online education course(s).

—— (s) The school shall administer a test at the mid-point and at the end of each online education course. The testing shall be done in person at the school.

—— (t) Online instruction shall be limited to the theory portion only and no more than 25% of the total course.

—— (u) No practical or clinical instruction shall be permitted through online education.

—— (v) The school shall make available to student apprentices and instructors access to technical support for the online educational course(s) or program(s).

—— (w) The school shall be responsible for the quality of the courses of study and programs offered through online education and traditional methods of study.

—— (x) After successfully completing 800 hours of barber training or 1500 hours of cosmetology training in a licensed school, the alternate program may grant an individual up to 500 advanced placement hours towards training in the alternate program.

—— (y) Advanced placement hours shall be granted in the following areas according to the school policy:

- (1) Microbiology and infection control;
- (2) Implements, tools, and equipment;
- (3) Anatomy and physiology;
- (4) Chemistry;
- (5) Electricity and light therapy;

- ~~(6) Properties and disorders of the skin;~~
- ~~(7) Properties and disorders of the scalp and hair;~~
- ~~(8) Treatments of the hair and scalp;~~
- ~~(9) Facial massage;~~
- ~~(10) Haircutting;~~
- ~~(11) Styling;~~
- ~~(12) Chemical texturizing;~~
- ~~(13) Hair coloring and lightening;~~
- ~~(14) Business and job search; and~~
- ~~(15) State law and regulations.~~

~~—— Bar 301.04 Instructors of Apprentices:~~

~~—— (a) Each apprentice shall receive his or her instruction from a cosmetologist, barber, esthetician, manicurist, or master barber who is a licensed instructor in accordance with Bar 301.08 or Bar 301.01 (f).~~

~~—— (b) An instructor license shall expire in accordance with RSA 313-A:20.~~

~~—— (c) A shop instructor shall keep a monthly record of the apprentice's attendance on a sheet provided by the board, including:~~

- ~~(1) The name of the apprentice;~~
- ~~(2) The name and address of the shop;~~
- ~~(3) The apprentice licensure date;~~
- ~~(4) The month and year for which the record is being submitted;~~
- ~~(5) The total number of hours completed during the apprenticeship;~~
- ~~(6) The signature of the shop instructor; and~~
- ~~(7) The signature of the shop apprentice.~~

~~—— (d) The shop instructor shall submit the monthly record of attendance to the board no later than the 15th of the next following month.~~

~~—— (e) Instructors shall administer written, oral, or practical tests pertaining to Bar 301.03(e). The tests shall be graded and reviewed with the students promptly. Each apprentice shall be tested at least once a month. Shop instructors shall send a copy of each completed and corrected test to the board along with the monthly record of attendance in accordance with Bar 301.04(e).~~

~~—— (f) Shop instructors shall prohibit a shop apprentice being instructed in master barbering or cosmetology from practicing on a paying customer until the apprentice has completed at least 3 months and 400 hours of the apprenticeship. A licensed barber apprenticing to obtain a cosmetology license, or a cosmetologist apprenticing to obtain a barber license, may practice on a client immediately.~~

~~—— (g) Shop instructors shall prohibit a shop apprentice being instructed in barbering or esthetics, unless the apprentice is a licensed cosmetologist, from practicing barbering or esthetics on a paying customer until the apprentice has completed at least 150 hours of the apprenticeship.~~

~~—— (h) Shop instructors shall ensure that a shop apprentice being instructed in manicuring does not practice manicuring on a paying customer until the apprentice has completed at least 50 hours.~~

~~—— (i) All shops with an apprentice practicing on paying customers shall have the apprentice wear a name tag. The name tag shall state "Apprentice".~~

~~—— (j) Except as prohibited by RSA 313-A and these rules, the instructor shall assign paying customer services to the apprentice.~~

~~—— (k) The instructor shall provide each apprentice with at least 2 written progress reports during each course. The reports shall evaluate the apprentice's theory and practical work, and attendance. Instructors shall be available to discuss the reports and the apprentice's progress in the course.~~

~~—— (l) Related theory and practice shall precede clinic activities, and apprentices shall have demonstrated competence in both theory and practice before being allowed to participate in such activities. Instruction in theory and practice shall not be replaced by the clinic or working on paying customers, and apprentices shall not be excused from scheduled classes to work in the clinic or on paying customers.~~

~~—— (m) A shop instructor shall be readily accessible, in the shop, to the shop apprentice at all times during professional services on a client within the first 50% of hours required by Bar 301.03 (b).~~

~~—— (n) Once the shop apprentice has completed over 50% of the hours required by Bar 301.03 (b) and is in compliance with Bar 301.04(m), the shop apprentice shall have direct access to a licensee when providing professional services on a client.~~

~~—— (o) An esthetician apprentice shall have completed at least 400 hours prior to the application of any cosmetic exfoliation chemical.~~

~~—— (p) The shop instructor shall be with the esthetician apprentice at all times during the application of any cosmetic exfoliation chemical.]~~

Repeal Bar 301.05 and Bar 301.06, effective 4/2/15 (Document #10808), as follows:

~~[Bar 301.05 Apprentice Termination.~~

~~—— (a) An instructor or an apprentice may terminate an apprenticeship at any time upon written notification to the board. The instructor and the apprentice shall notify the board within 5 business days of the termination date.~~

—— (b) The written notification of termination required by (a), above, shall include, if it is from the:

(1) Instructor:

- a. The apprentice's name;
- b. The shop or school name, address, and telephone number;
- c. The date of termination; and
- d. The monthly record of attendance up to the termination date; and

(2) Apprentice, all items in (b)(1) a. through c, above.

—— (c) When a shop apprenticeship is terminated by the apprentice, in accordance with Bar 301.05(a), the board shall write to the shop instructor informing the instructor of the termination and requiring the instructor to forward all outstanding monthly records of attendance. Upon receipt of the board's letter, the shop instructor shall forward the information immediately to the board.

—— (d) When the apprenticeship is terminated by the instructor, in accordance with Bar 301.05(a), the board shall write to the apprentice informing the apprentice of the termination.

—— (e) An apprentice who does not complete an apprenticeship may apply again, at any time, for registration as an apprentice in accordance with RSA 313-A:24 and Bar 301.01. Previously accumulated hours shall be maintained in accordance with Bar 301.03(e) or (p).

—— Bar 301.06 Completion of Apprenticeship. The apprentice shall complete and file an application for licensure in accordance with Bar 301.07(b) upon completion of the apprenticeship.]

Readopt with Amendment and renumber Bar 301.07, effective 11/1/17 (Document #12413), as Bar 301.01 to read as follows:

Bar 301.0[7]1 Barber, Cosmetologist, Esthetician, Manicurist and Master Barber Applications For Graduates of a Licensed School.

[(a) Upon the board's receipt of a request for an application for licensure by exam, the board or testing agency shall send the "Exam Application Form", effective October 2017, and the "Initial Application for Licensure" form, effective October 2017, to the applicant.]

[(b)](a) Each applicant applying for a barber, cosmetologist, esthetician, manicurist, or master barber [exam] shall [supply the following on the "Initial Application for Licensure" form:] **complete and submit the "Universal Application for Initial Licensure" as required by Plc 304.01(a)(1).**

[(1) The applicant's name, address, and telephone number;

(2) The applicant's month of birth;

(3) The type of license being requested:

a. Barber;

- b. Cosmetologist;
- e. Esthetician;
- d. Manicurist; or
- e. Master barber; and

(4) ~~The applicant's signature and date.~~]

(b) In addition to the application required in (b) above each applicant shall complete and submit the "Barber, Cosmetologist, Esthetician, Manicurist and Master Barber Addendum to the Universal Application for Initial Licensure" requiring the following:

(1) Yes or no to the statement "I have included with the application for initial licensure a copy of my high school diploma or its equivalent.";

(2) Yes or no to the statement "I have included with my application for initial licensure a letter verifying school training in an out-of-state school which was provided to me by the state board where I took my examination with the information required by Bar 301.01(e);

(3) Yes or no to the statement "I have included documentation verifying I graduated from a licensed school as defined in [REDACTED];

(4) Yes or no to the statement "I have included documentation verifying I took and passed the examination described in [REDACTED].

~~[(e) In addition to the requirements in Bar 301.07(b), (c)]~~ **(c) The applicant shall [attach] submit with their "Universal Application for Initial Licensure" the following:**

(1) [a] A copy of [the applicant's] their high school diploma or its equivalent[.];

(2) Documentation of having graduated from a licensed school as defined in [REDACTED]; and

(3) Documentation of having taken an passed the examination defined in [REDACTED].

~~[(d) Individuals who have completed the required number of hours in accordance with Bar 301.03 in an out-of-state school approved by that state may apply for the exam. In addition to the requirements in Bar 301.07(b) and (c) the out of state student shall provide a letter verifying school training, sent out by the applicant's state board.~~

~~—— (e) The letter required by (d), above, shall state or include:~~

- ~~(1) The name of the board or agency and the state where the apprenticeship took place;~~
- ~~(2) The name of the applicant;~~

- (3) The name of the school or shop and the address where the apprenticeship was completed;
- (4) Apprenticeship enrollment date;
- (5) Apprenticeship completion date;
- (6) The total number of apprenticeship hours completed;
- (7) The date, signature and title of the person writing the letter; and
- (8) The board or agency seal.]

~~[(f)]~~(d) The board shall approve or deny an application in accordance with Bar 301.02.

Commented [TK1]: START HERE

Bar 301.02 Barber, Cosmetologist, Esthetician, Manicurist and Master Barber Application For Temporary Permit.

~~[(g)]~~(a) The [board] **OPLC** shall approve an application and issue a temporary permit if:

- (1) The applicant has completed an apprenticeship in accordance with Bar 301.03;
- (2) The applicant has submitted an application in accordance with Bar 301.01(b) and (c);
- (3) The application was approved in accordance with RSA 313-A:18, I; and
- (4) The applicant is deemed to be of good professional character.

~~[(h)]~~(b) An applicant working under a temporary permit shall have immediate access to a licensee when providing professional services on a client.

Commented [TK2]: What does immediate access mean?

~~[(i)]~~(c) The [board] **OPLC** shall provide notification to the applicant of the examination in accordance with Bar 303.02(a).

~~[(j)]~~(d) The temporary permit shall expire in accordance with RSA 313-A:18, II.

~~[(k)]~~(e) The [board] **OPLC** shall deny an application if:

- (1) If the application is not completed in accordance with Bar 301.07(b) and (c);
- (2) The applicant has not completed an apprenticeship, in accordance with Bar 301.03; or
- (3) The applicant is deemed not to be of good professional character.

~~[(l)] If the board denies an application pursuant to (k), above, the board shall return the application to the applicant with all attachments and a letter. The letter shall be in accordance with Bar 301.02(g).]~~

Source. #6577, eff 9-13-97 (from Bar 302.01); ss by #7555, eff 9-12-01; ss by #8655, eff 6-9-06; amd by #9047, eff 12-12-07; amd by #9652, eff 2-3-10; paras. (c)-(l) EXPIRED: 6-19-14; paras. (a) & (b) EXPIRED: 12-12-

15; ss by #12085, INTERIM, eff 1-14-17, EXPIRES: 7-13-17; amd by #12226, eff 6-30-17; ss by #12413, eff 11-1-17

Repeal Bar 301.08, effective 3/18/16 (Document #11055), as follows:

~~[Bar 301.08 Application for A School Instructor License.~~

~~—— (a) Each applicant for an instructor's license shall:~~

~~(1) Be currently licensed as a barber, cosmetologist, esthetician, manicurist, or master barber; and~~

~~(2) Have completed the following:~~

~~a. At least 800 hours of instructor training in a school for master barbering and cosmetology, 700 hours of instructor training in a school for esthetics or barbering, or 550 hours of instructor training in a school for manicuring;~~

~~b. At least 12 months of actual employment in a shop and have completed 500 hours of instructor training in a school for master barbering and cosmetology, 400 hours of instructor training in a school for esthetics or barbering, or 250 hours of instructor training in a school for manicuring; or~~

~~c. At least 8 years of actual employment in a shop.~~

~~—— (b) In addition to the requirements in Bar 301.07(b)(1) through (4), the applicant shall submit the following:~~

~~(1) A copy of the applicant's current cosmetology, barber, manicurist, esthetician, or master barber license;~~

~~(2) Proof of 8 years' work experience or 12 months' work experience in accordance with Bar 305.01 (c), in a shop licensed pursuant to RSA 313-A:19; and~~

~~(3) A copy of the hours in accordance with Bar 301.08(a)(2) as a student instructor in accordance with Bar 302.06(k), if applicable.~~

~~—— (c) Applicants shall pass a written and practical examination in accordance with Bar 303.03(a), and Bar 303.06, to obtain a school instructor's license.~~

~~—— (d) If the applicant meets the requirements of (a) and (b) above, the applicant shall be issued a temporary permit in accordance with RSA 313-A:18.~~

~~—— (e) An applicant working under a temporary instructor permit shall have a licensed instructor in the same room while instructing a class.~~

~~—— (f) The board shall deny an application if:~~

~~(1) The applicant does not meet the requirements of (a) and (b) above; or~~

~~(2) The applicant is deemed not to be of good professional character, after considering the factors contained in Bar 301.02 (d).~~

~~— (g) If the board denies an application pursuant to Bar 301.07(k), the board shall return the application to the applicant with all attachments and a letter. The letter shall be in accordance with Bar 301.02(g).]~~

Repeal Bar 301.09, effective 4/2/15 (Document #10808), as follows:

~~[Bar 301.09 Application for a Shop License.~~

~~— (a) Each applicant applying for a shop license in accordance with RSA 313-A:19 shall submit an application on a form provided by the board, as specified in (b) below.~~

~~— (b) The applicant shall submit the following to the board on or with the application for a shop license:~~

- ~~(1) The name and address of the shop, in accordance with RSA 313-A:19, I;~~
- ~~(2) The name and address of the shop owner, in accordance with RSA 313-A:19, I;~~
- ~~(3) The owner's barber, cosmetologist, esthetician, manicurist or master barber license if applicable;~~
- ~~(4) The name and address of the shop manager if applicable;~~
- ~~(5) The manager's barber, cosmetologist, esthetician, manicurist or master barber license if applicable;~~
- ~~(6) Signature of the shop owner and current date;~~
- ~~(7) Signature of the manager, if applicable, and current date; and~~
- ~~(8) A check, money order, or cash in the amount of \$60.00.~~

~~— (c) In addition to the requirements of Bar 301.09 (b) the applicant, and manager if applicable, shall complete the same information as required by Bar 301.01 (b) (5) and (b) (6).~~

~~— (d) Each applicant applying for a shop license in accordance with RSA 313-A:19, II, to independently operate a booth within a shop, shall submit an application on a form supplied by the board, as specified in (e), below.~~

~~— (e) The applicant shall submit the following on or with the application for a booth rental license:~~

- ~~(1) The name and address of shop;~~
- ~~(2) The same information as required by Bar 301.01 (b) (5) and (b) (6);~~

(3) The applicant's signature and current date; and

(4) A check, money order, or cash in the amount of \$50.00.

—— (f) Upon receipt of a completed application in accordance with (b) or (d) above, the board shall contact the applicant by phone to set up a date and time of the inspection and requiring the booth renter, shop owner, and if applicable, manager to be present at the shop during the inspection.

—— (g) A prior shop owner shall not require an inspection for an initial booth rental application.

—— (h) If, upon inspection pursuant to Bar 404.01, the inspector finds that the shop is in compliance with RSA 313-A and Bar 404.02(a), the board shall issue a shop license.

—— (i) The board shall deny an application if:

(1) The applicant does not meet the requirements of (b) and (d) above;

(2) The inspector finds the shop is not in compliance with RSA 313-A or Bar 404.01(a);

(3) The applicant is deemed not to be of good professional character;

(4) There is pending discipline against the shop license, shop owner's personal license(s), or the applicant's shop or personal license(s); or

(5) The application contains fraudulent or deceitful information.

—— (j) If the board denies an application pursuant to (i), above, the board shall return the application to the applicant with all attachments and a letter. The letter shall be in accordance with Bar 301.02(g).]

Repeal Bar 301.10, effective 8/7/14 (Document #10653), as follows:

[Bar 301.10 Application for a School License:

—— (a) Each applicant applying for a barber, cosmetology, esthetic, manicuring or master barber school license shall submit an application on a form provided by the board.

—— (b) The applicant shall submit the following to the board on or with the application for a school license:

(1) The name and address of the school;

(2) A detailed floor plan of the entire school showing arrangement of class rooms and placement of equipment;

(3) A list of equipment for each type of license;

(4) The school curriculum for each course;

(5) The owner's barber, cosmetologist, esthetician, manicurist or master barber instructor license number, if applicable;

- (6) ~~The name and address of the instructor, if applicable;~~
- (7) ~~Proof of one year of work experience as an instructor in accordance with Bar 305.01(c)(1) through (5);~~
- (8) ~~Indicate the type of school such as barber, cosmetology, esthetics or manicuring;~~
- (9) ~~Signature of the instructor, if applicable, and current date;~~
- (10) ~~The signature of the school owner and the current date; and~~
- (11) ~~A check, money order, or cash in the amount of \$150.00 for each type of school license;~~

~~—— (e) Upon receipt of a completed application in accordance with (b) above, the board shall contact the applicant by phone to set up a date and time of the inspection and requiring the owner to be present at the school during the inspection.~~

~~—— (d) If, upon inspection pursuant to Bar 404.01, the inspector finds that the school is in compliance with RSA 313-A or Bar 404.02(a), the board shall issue a school license.~~

~~—— (e) The board shall deny an application if:~~

- ~~(1) The application is not completed in accordance with (b) above;~~
- ~~(2) The inspector finds the school is not in compliance with RSA 313-A or Bar 404.01(a); or~~
- ~~(3) The applicant is deemed not to be of good professional character.~~

~~—— (f) If the board denies an application pursuant to (e), above, the board shall return the application to the applicant with all attachments and a letter. The letter shall be in accordance with Bar 301.02(g).]~~

Repeal Bar 302.01, effective 3/18/16 (Document #11055), as follows:

[PART Bar 302 – QUALIFICATIONS

~~—— Bar 302.01 – School Equipment.~~

~~—— (a) The school shall make available to students textbooks, supplementary instructional materials, and equipment needed to fulfill course requirements.~~

~~—— (b) The school shall provide students and teachers with access to current reference materials that may include, but are not limited to, such formats as books, periodicals and other written matter, audio-visual equipment and materials, digital media, and online education platforms to support the educational program(s). Equipment for producing digital and paper copies of supplementary instructional materials shall be available.~~

~~—— (c) Classroom and demonstration areas shall be shielded from visual and auditory distractions allowing students to see and hear instruction clearly.~~

~~—— (d) Classrooms for theory instruction shall have sufficient tables or desks and chairs to serve all students assembled at one time.~~

~~—— (e) The school shall make available:~~

- ~~(1) Drinking water from sanitary fixtures;~~
- ~~(2) Lavatories with hot and cold running water maintained in sanitary condition;~~
- ~~(3) Fire extinguishers maintained in operable condition;~~
- ~~(4) First aid supplies;~~
- ~~(5) Emergency evacuation plans to staff and students; and~~
- ~~(6) Training to staff in emergency procedures.~~

~~—— (f) The school shall provide a clinic area used exclusively as a training facility.~~

~~—— (g) The clinic area shall contain the following:~~

- ~~(1) Sufficient stations and resources to meet the training needs of all students scheduled for clinic work at the same time;~~
- ~~(2) One sink with hot and cold running water for hand washing; and~~
- ~~(3) A sign clearly indicating that all work is performed by supervised students posted in a place easily seen by clinic patrons.~~

~~(h) Products and supplies needed for laboratory work shall be provided by the school.~~

~~—— (i) All advertising for clinic services shall state clearly that the work is performed by supervised students.~~

~~—— (j) When a school and a shop are under the same ownership or otherwise are associated, separate operation of the shop and school shall be maintained as follows:~~

- ~~(1) If the school and shop are located in the same building, separate entrances and visitor reception areas shall be maintained; and~~
- ~~(2) The school and shop shall have separate public information releases, advertisements, names, and advertising signs.]~~

Repeal Bar 302.02, effective 10/20/23 (Document #13728), as follows:

~~[Bar 302.02 Shop and Licensee Equipment.~~

~~—— (a) A barber, cosmetology, esthetics, or manicuring shop shall have equipment necessary to safely perform barber, cosmetology, esthetics, or manicuring services.~~

—— (b) All shampoo services shall be performed in a shampoo sink.]

Repeal Bar 302.03, effective 11/1/17 (Document #12412), as follows:

~~[Bar 302.03 Schools and Shops Square Footage.~~

—— (a) Space allocated for a cosmetology school shall be at least 1,500 square feet, and esthetic, manicuring barbering and master barber school shall be at least 1,000 square feet used exclusively for teaching of cosmetology, esthetics, barbering master barber and/or manicuring.

—— (b) A shop shall be at least 144 square feet including the lavatory area and reception area.]

Repeal Bar 302.04, effective 10/20/23 (Document #13728), as follows:

~~[Bar 302.04 Independently Operating Booths Equipment. A licensee wishing to obtain a shop license in accordance with RSA 313-A:19, II, to operate an independently owned booth shall apply for a license in accordance with Bar 301.09(b). The booth shall be located in a shop already licensed in accordance with RSA 313-A:19, I.]~~

Repeal Bar 302.05, effective 5/13/21 (Document #13205), as follows:

~~[Bar 302.05 School and Shop Additional Requirements.~~

—— (a) As used in this section, “whirlpool, foot spa, or spa” means any basin using circulating water.

—— (b) Upon change of ownership or relocation of a shop or school, the owner shall notify the board, in writing at least 21 days prior to new ownership or relocation. The new owner or an owner relocating his or her shop shall submit a “Shop Application” in accordance with Bar 301.09 and an inspection shall be required in accordance with Bar 404.01.

—— (c) The entrance to the shop or school shall be either from the outside or from a common hallway. Access to the shop or school shall not be through any living quarters.

—— (d) Lavatory facilities shall be publicly accessible to all students, patrons, and employees.

—— (e) Mechanical ventilation shall be provided by a method of supply air and return or exhaust air in all schools and shops, with a minimum exchange rate of 35 cubic feet per minute.

—— (f) All schools and shops shall have at least one covered container for disinfected implements.

—— (g) A school or shop shall have a disinfecting container.

—— (h) All schools and shops shall keep their floors, walls, woodwork, ceilings, furniture, furnishing, and fixtures clean.

—— (i) Each shop or school shall have hot and cold running water.

—— (j) If a school or shop ceases to do business, the licensee shall notify the board immediately.

—— (k) If a school or shop chooses to have an animal present in the school or shop, a sign indicating the type of animal, such as dog, cat, or bird, shall be clearly displayed and readable at the entrance to the school or shop.

—— (l) The entrance to the shop or school shall be clearly marked.

—— (m) The shop or school shall have safety data sheets (SDS) required by the Occupational Safety Health Administration (OSHA) under 29 CFR 1910.1200 (g) for products being used.

—— (n) If a licensee chooses to advertise, the licensee shall not advertise or solicit clients in any form of communication in a manner that is false or misleading.

—— (o) A licensee shall not defraud another person.

—— (p) After each patron, each whirlpool, foot spa, or spa shall be cleaned and disinfected as follows:

(1) All water shall be drained and all debris removed from the spa basin;

(2) The spa basin shall be disinfected by filling spa basin with water and by circulating:

a. Two tablespoons of automatic dishwashing powder and ¼ cup of 5.25% chlorine bleach to one gallon of water through the unit for 10 minutes; or

b. Surfactant or enzymatic soap with an EPA-registered disinfectant with bactericidal, fungicidal, and virucidal activity which is used according to manufacturer's instructions through the unit for 10 minutes;

(3) The spa basin shall be drained and rinsed with clean water; and

(4) The spa basin shall be wiped dry with a clean towel.

—— (q) At the end of each day, each whirlpool, foot spa, or spa shall be cleaned and disinfected as follows:

(1) The screen shall be removed and all debris trapped behind the screen removed;

(2) The screen and the inlet shall be washed with surfactant or enzymatic soap or detergent and rinsed with clean water;

(3) Before replacing the screen, one of the following procedures shall be performed:

a. The screen shall be totally immersed in a chlorine bleach solution of ¼ cup of 5.25% chlorine bleach to one gallon of water for 10 minutes; or

b. The screen shall be totally immersed in an EPA-registered disinfectant with bactericidal, fungicidal, and virucidal activity, and used in accordance to the manufacturer's instructions for 10 minutes;

(4) The inlet and area behind the screen shall be cleaned with a brush and surfactant soap and water to remove all visible debris and residue; and

~~(5) The spa system shall be flushed with low-sudsing surfactant or enzymatic soap and warm water for at least 10 minutes, and then rinsed and drained.~~

~~—— (r) Every week, after cleaning and disinfecting pursuant to (q) and (r) above each whirlpool, foot spa, or spa shall be cleaned and disinfected in the following manner:~~

~~(1) The whirlpool, foot spa, or spa basin shall be filled completely with water and ¼ cup of 5.25% bleach for each one gallon of water;~~

~~(2) The whirlpool, foot spa, or spa system shall be flushed with the bleach and water solution pursuant to (r) (3), above, for 10 minutes and allowed to sit for 6 to 10 hours; and~~

~~(3) Whirlpool, foot spa, or spa system shall be drained and flushed with water before use by a patron.~~

~~—— (s) Pipeless pedicure units shall be sanitized and disinfected after each use with an EPA-registered disinfectant according to manufacturers' instructions.~~

~~—— (t) A record shall be made of the date and time of each cleaning and disinfecting as required by (q) and (r) above, including whether the cleaning was a daily or weekly cleaning.~~

~~—— (u) The record pursuant to (t) above shall be made available upon request by either a patron or inspector.~~

~~—— (v) The water in a vaporizer machine shall be emptied daily and the unit disinfected.~~

~~—— (w) Each shop or school shall comply with applicable local and state plumbing, electrical, and building codes.~~

~~—— (x) All needles, lancets, or other products containing potential blood borne pathogens shall be properly disposed in accordance with OSHA under 29 CFR 1910-1030.~~

~~—— (y) Shops required to have a manager shall notify the board immediately if the current manager leaves and assign a new manager as required by RSA 313-A:19, IV.~~

~~—— (z) The notification required by (y), above, shall include the manager's requirement as follows:~~

~~(1) Complete the same information as required by Bar 301.01(b)(5) and (b)(6); and~~

~~(2) Write a signed and dated letter from the new manager indicating they will accept the manager's position.~~

~~—— (aa) Prior to relocation of an independently operated booth, the booth renter shall notify the board, in writing. The booth renter relocating his or her booth shall submit a "Booth Rental Application" in accordance with Bar 301.09(c). If the application is in compliance with Bar 301.09(c) the board shall issue a new booth license.~~

~~—— (ab) A master barber or barber wanting a mobile barbershop shall be licensed in the same manner as a shop and follow all shop and licensee requirements.~~

~~—— (ac) A shop owner shall not change the name of a shop pending disciplinary action against the shop license or during any probationary period on the shop license.~~

~~—— (ad) Shop applicants with a shop located in a residence shall submit a floor plan. The floor plan shall include a detailed plan showing the entrance to the shop, location of restroom, treatment room, dispensary or equipment area, and reception area if any.~~

~~—— (ae) Floor plans for shops located within a residence shall not be altered after inspection and license issuance unless approved by the board.~~

~~—— (af) An individual requesting a new floor plan shall also file a new shop application with the floor plan, and shall be inspected pursuant to Bar 404.01.~~

~~—— (ag) All containers with chemicals shall be labeled, marked, or tagged with information specified by OSHA in 29 CFR 1910.1200(f)(6)(i) through (ii).~~

~~—— (ah) All product not in original containers shall be labeled, marked, or tagged with the product name.~~

~~—— (ai) All shops shall have an emergency eyewash station for use that is immediately accessible to everyone.~~

~~—— (aj) All employees and booth renters, if applicable, shall be notified where the eyewash station is. The eyewash station shall be clearly marked.~~

~~—— (ak) As used in this section, “emergency eyewash station” means either:~~

- ~~(1) An unexpired, FDA-compliant portable eyewash kit or station; or~~
- ~~(2) A plumbed-in eyewash station.]~~

Repeal Bar 302.06, effective 11/1/17 (Document #12413), as follows:

~~[Bar 302.06 School Operational Requirements:~~

~~—— (a) Each school shall employ at least one instructor for every 20 apprentices.~~

~~—— (b) Each school shall provide or make accessible to each student text books and tools to meet the needs of the curriculum.~~

~~—— (c) A school shall ensure that each apprentice wears a lab coat or uniform.~~

~~—— (d) A school shall keep a record of each student apprentice's attendance which includes:~~

- ~~(1) The name of the apprentice;~~
- ~~(2) The name and address of the school;~~
- ~~(3) The total number of hours completed during the apprenticeship;~~

~~(4) The signature of the designated time keeper; and~~

~~(5) The signature of the student apprentice.~~

~~—— (e) The school shall forward the record of attendance to the board within 10 business days of a graduation or termination if all the student apprentice academic and financial obligations to the school have been satisfied.~~

~~—— (f) Each school offering student instructor training shall send a letter to the board which includes the:~~

~~(1) Name and address of the school;~~

~~(2) Curriculum being used; and~~

~~(3) Student instructor's name, address, and current license number.~~

~~—— (g) The school shall enroll only New Hampshire barber, cosmetology, esthetician, manicuring or master barber licensees into the student instructor program.~~

~~—— (h) Each school shall require that a student instructor take courses in at least the following:~~

~~(1) Observation theory;~~

~~(2) Teaching techniques;~~

~~(3) Motivation;~~

~~(4) Business management;~~

~~(5) Student relations;~~

~~(6) Testing and lesson planning;~~

~~(7) Student teaching theory;~~

~~(8) Student teaching practical; and~~

~~(9) Shop internship.~~

~~—— (i) Schools offering a student instructor course shall have books covering subjects listed in Bar 302.06(h).~~

~~—— (j) A student instructor shall be under the direct supervision of a licensed instructor at all times.~~

~~—— (k) Each school offering a student instructor course shall issue a certificate to the student instructor at the completion of the hours required by Bar 301.08(a) (2) a. or b. which includes the:~~

~~(1) Name of the school;~~

~~(2) Licensee names;~~

~~(3) Number of hours completed; and~~

~~(4) Signature of the owner of the school and current date.~~

~~—— (l) Each school shall inform the student instructor that an application for licensure in accordance with Bar 301.08, shall be completed and filed upon completion of the student instructor training program.~~

~~—— (m) A school instructor shall be readily accessible, in the school, to the student instructor apprentices at all times during classroom or professional service on a client. During classroom or clinic hours school instructors shall devote their time to instructing student apprentices and shall not perform any service on a paying client except during the performance of their duties as an instructor.~~

~~—— (n) Schools shall give a copy of their rules to each student apprentice.~~

~~—— (o) Every school shall have a dispensary, clinic area, classroom, and office.~~

~~—— (p) Each school shall display at least one permanent sign indicating the type of school such as, barber, cosmetology, esthetics, or manicuring. The sign shall clearly identify the school as an education institution.~~

~~—— (q) The school shall have a published mission statement including a statement that students will be prepared for a career in barbering, cosmetology, esthetics, or manicuring.~~

~~—— (r) The mission statement required by (q), above, shall be published in the school's catalog.~~

~~—— (s) The school shall assess the achievements of its programs and students on the basis of:~~

~~(1) The pass rate on examination for schools offering full programs for licensure to practice;~~

~~(2) The rates of employment in job-related industry and placement in postsecondary schools;~~

~~(3) The individual school's program completion rates; and~~

~~(4) The comments and suggestions regularly solicited from students, graduates and employers of graduates.~~

~~—— (t) The school shall meet or exceed the following outcomes:~~

~~(1) A program completion rate of at least 50%;~~

~~(2) A pass rate on state licensing examination of at least 70% for schools offering full program(s); and~~

~~(3) A placement rate of eligible students in postsecondary school or industry related employment of at least 60%.~~

~~—— (u) The institution shall use its assessments and other appropriate information in formulating plans to maintain and improve its educational and student support services, and to modify its objectives to meet new circumstances and needs.~~

—— (v) The school shall have N. H. licensed substitute instructors who are familiar with the school's curriculum, policies and procedures available for instruction when needed.

—— (w) The school shall allow the instructors to have the opportunity to prepare for class, evaluate students' progress in the course, counsel students individually, and participate in activities of continuing education.

—— (x) School attendance policies shall:

- (1) Give appropriate attendance credit for all hours attended;
- (2) Not add or deduct attendance hours as a reward or penalty;
- (3) Round actual attendance hours to no more than the nearest quarter hour; and
- (4) Give hour credit only for hours obtained within the school curriculum or under the direct supervision of a school instructor.

—— (y) The school shall provide each student before enrollment with written information accurately describing:

- (1) Placement rates of the school's graduates;
- (2) Compensation a successful graduate can reasonably expect;
- (3) The physical demands of practicing the profession;
- (4) Licensing requirements for the jurisdiction in which the school is located, or for which it is preparing graduates;
- (5) Completion rates for students in the school; and
- (6) Pass/fail rates of school graduates on licensing examinations.

—— (z) The school shall provide a copy of the enrollment agreement to the student or legal guardian if the student is a dependent minor. The agreement shall give complete information on the total cost of the program.]

Repeal Bar 302.07, effective 5/13/2021 (Document #13205), as follows:

[Bar 302.07 Licensee:

- (a) Each licensee shall wash his or her hands immediately before attending to a patron.
- (b) Shampoo bowls shall be sanitized and disinfected after each use.
- (c) The licensee shall be responsible for compliance with the following requirements:

~~(1) All non-electrical implements shall be sanitized and disinfected after each use on a person and shall be kept in a dry container or drawer. Combs and brushes shall not be placed in the licensee's pocket at any time;~~

~~(2) The disinfection container(s) shall remain covered at all times;~~

~~(3) All implements that have been used on a patron or soiled in any manner shall be placed in a closed container;~~

~~(4) All electrical implements which come into direct contact with a client shall be disinfected before each use;~~

~~(5) All implements and supplies which come into direct contact with a patron and cannot be disinfected such as cotton pads, emery boards, sponges, and neck strips shall be disposed of after each use in a closed container;~~

~~(6) After a towel has been used, it shall be deposited in a container and not used until laundered;~~

~~(7) Creams and other semi-solid substances shall be removed from containers with a clean spatula or similar article without allowing such implements to come in contact with the patron. Containers of cream, powder and other toilet preparations shall be covered when not in use; and~~

~~(8) Implements which come in contact with a patron shall be sanitized and disinfected after each use. If a make-up brush or neck duster is used, it shall be disinfected after each use.~~

~~—— (d) All licensees shall wear shoes and clothing.~~

~~—— (e) Each patron shall be covered with a cape. The cape shall not come in direct contact with the patron's neck, unless laundered after each use.~~

~~—— (f) If the skin of the licensee or patron is punctured, the licensee shall immediately do the following:~~

~~(1) Apply antiseptic and a sterilized bandage;~~

~~(2) Make available to the patron antiseptic and a sterilized bandage if still bleeding;~~

~~(3) Under both (1) and (2) above, sanitize and disinfect the implement and appliance in use at the time of the puncture before proceeding; and~~

~~(4) Under both (1) and (2), above, put on disposable gloves.~~

~~—— (g) A licensee shall not:~~

~~(1) Apply methyl methacrylate (MMA) monomer on a person, or have MMA available for use in the facility;~~

~~(2) Use product in any other manner than that product's intended use;~~

- ~~(3) Use a variable speed electrical nail file on the natural nail unless it has been specifically designed for use on the natural nail;~~
- ~~(4) Use a blade to remove any corns, callouses, or skin, or have blades available for use in the facility;~~
- ~~(5) Diagnose any medical condition or treat any medical condition unless referred by a physician;~~
- ~~(6) Provide any service within the scope of practice unless they have received training prior to performing the service;~~
- ~~(7) Perform services on a client if the licensee has reason to believe the client has any of the following:
 - ~~a. A communicable disease;~~
 - ~~b. A contagious condition;~~
 - ~~c. An inflamed, infected, broken, raised or swollen skin or nail tissue; or~~
 - ~~d. An open wound or sore in the area to be worked on that would contraindicate the efficacy of the service;~~~~
- ~~(8) Use any adulterated chemical exfoliating substances;~~
- ~~(9) Use carbolic acid, also known as phenol, over 2% strength;~~
- ~~(10) Alter a license issued by the board;~~
- ~~(11) Use an animal to perform any service, including, but not limited to, worms, insects, fish, amphibians, reptiles, birds, and mammals; or~~
- ~~(12) Use a dermaroller, dermapen, plasma pen, or any microneedling device or equipment which rolls or pulsates using needles or pins, or have microneedling devices available for use in the facility.~~

~~— (h) The licensee shall:~~

- ~~(1) Notify the board in writing within 30 days of a name or address change by providing:
 - ~~a. Old name and address;~~
 - ~~b. Current name and address;~~
 - ~~c. With name changes must include a copy of official documentation, such as, a marriage license, court paper, divorce decrees; and~~
 - ~~d. Current license number;~~~~

~~(2) If he or she loses his or her license, alters his or her license, or works in one or more location, request a duplicate license by providing the following in writing:~~

- ~~a. His or her name and address;~~
- ~~b. The same information as required by Bar 301.01 (b) (5) and (b) (6); and~~
- ~~c. A check, money order, electronic payment, or cash in the amount of \$15.00; and~~

~~(3) When transferring his or her license to another state, request a certificate of state licensure from the board by providing the following in writing:~~

- ~~a. His or her name and address;~~
- ~~b. Name of the state to receive the certificate of state licensure; and~~
- ~~c. A money order, electronic payment, or cash in the amount of \$20.00.~~

~~—— (i) The board shall issue to the licensee the following:~~

- ~~(1) A duplicate license within 30 days of receipt of request if the licensee has provided the information pursuant to (h)(2), above; or~~
- ~~(2) A certificate of state licensure within 14 days of receipt of a request if the license has provided the information pursuant to (h)(3), above.~~

~~—— (j) All check(s) returned to the board shall be subject to a penalty in accordance with RSA 6:11-a.~~

~~—— (k) A licensee who chooses to use an electrical nail file shall have completed a certified program in the proper use of an electrical nail file in a school licensed by the board or a certified program.~~

~~—— (l) The licensee shall provide a copy of the certificate required by Bar 302.06(ab) above within 30 days of receiving it.~~

~~—— (m) After each service, the licensee shall ensure that the surface(s) of all equipment that come in direct contact with client's skin, including manicuring tables, pedicure basin, mats, and cushions, shall be sanitized.~~

~~—— (n) An esthetician shall complete additional technical, hands on training for each of the procedures or equipment in the following:~~

- ~~(1) Cosmetic chemical substances for exfoliation;~~
- ~~(2) Body therapies, including manual or mechanical lymphatic drainage massage as it relates to skin beautification;~~
- ~~(3) Microdermabrasion or mechanical equipment for cosmetic exfoliation;~~
- ~~(4) Light therapy devices;~~
- ~~(5) Ultrasonic devices;~~

~~(6) Microcurrent devices;~~

~~(7) FDA registered Class I and II devices; and~~

~~(8) Radiofrequency devices.~~

~~—— (o) The hands-on training may be obtained anywhere but shall be specific and adequate for the type of service to be performed.~~

~~—— (p) An esthetician shall use cosmetic exfoliating substances and equipment described in (n), above, according to the manufacturers' directions and within the equipment's approved scope of use pursuant to its 510k filing with the FDA.~~

~~—— (q) An esthetician using cosmetic exfoliating substances and equipment described in (n), above, shall have a sufficient understanding of the Fitzpatrick Scale to determine appropriate peel protocol. The esthetician shall assess the client's skin tone and determine where the client's skin tone falls on the scale.~~

~~—— (r) An esthetician shall receive training in sanitation precautions, the related theory, chemistry, safety precautions, ultraviolet light protection, contraindications, and practical application prior to performing services described in (n), above.~~

~~—— (s) An esthetician shall obtain a written client history of conditions related to services described in (n), above, including, but not limited to, the following:~~

~~(1) Being currently under a physicians care or treatment;~~

~~(2) Predisposition to herpes simplex virus;~~

~~(3) Current pregnancy;~~

~~(4) History of cosmetic related irritants or allergic reactions;~~

~~(5) Frequency of sun exposure or tanning bed use; and~~

~~(6) The use of topical or oral medications, or both, which increase the individuals' susceptibility to adverse reactions such as photosensitivity.~~

~~—— (t) Any New Hampshire licensed cosmetologist or esthetician providing services described in (n)(1)–(8), above, prior to June 9, 2006, shall be allowed to continue such services provided they comply with (n) through (s) for estheticians.~~

~~—— (u) Licensees who wish to perform a service at a location other than a shop licensed in accordance with RSA 313-A:19 and the board's administrative rules shall submit a written request to the board, which includes:~~

~~(1) The service to be provided;~~

~~(2) The date and location the service will be provided;~~

~~(3) The name of the charitable organization or individual in need;~~

- (4) The reason for providing service at an unlicensed location;
- (5) Evidence of how the licensee will provide for the health and safety of the consumer; and
- (6) The signature of the licensee.

—— (v) The board shall approve or deny the above request within 60 days of receipt of the request.

—— (w) The board shall approve a request only if:

- (1) The board finds that approval would not jeopardize the health and safety of the public;
- (2) The board determines that the event is to benefit a charitable organization or individual in need;
- (3) The board determines this is not a regular practice; and
- (4) The board determines the event does not benefit the licensee.

—— (x) The board shall deny a request only if:

- (1) The board finds the health and safety of the public is jeopardized;
- (2) The board determines that the event is to benefit the licensee; or
- (3) The board determines that the event is held on a regular basis.

—— (y) A licensee, instructor, or shop apprentice shall attach a current passport photograph to the professional or shop apprentice license upon receipt of the license.

—— (z) Individuals who are granted a temporary permit shall attach a current passport photograph to the temporary permit upon receipt.

—— (aa) Licensees, instructors, shop apprentices, and individuals with a temporary permit shall make government-issued photo identification available to the inspector at any time while working in the shop.]

[Source.](#) #6577, eff 9-13-97 (formerly Bar 304.03); amd by #6670, EMERGENCY RULE, eff 1-13-98, amendment EXPIRED: 5-13-98; amd by #6849, eff 9-3-98; ss by #7555, eff 9-12-01; amd by #7828, eff 2-13-03; ss by 8655, eff 6-9-06; amd by #8753, eff 11-27-06; ss by #9314, eff 11-5-08; amd by #9455-B, eff 4-14-09; ss by #10412-B, eff 9-19-13; ss by #10808, eff 4-2-15; ss by #11055, eff 3-18-16; ss by #12226, eff 6-30-17; ss by #13205, eff 5-13-21

Remove Bar 302.08, effective 6/11/04 (Document #8098) and expired 6/11/12, as follows:

[Bar 302.08 Shampoo Assistant.]

PART Bar 30[3]2 EXAMINATIONS

Bar 30[3]2.01 Scheduling Examinations. Each practical and written exams shall be held in accordance with RSA 313-A:15. The exams shall be held once a month. The location of exams shall, include but not be limited to, the Courtyard Marriott & Grappone Conference Center in Concord and a school licensed by the [board] OPLC.

Source. #1879, eff 12-3-81; ss by #2539, eff 11-18-83; ss by #4814, eff 5-16-90; ss by #5308, eff 1-16-92; ss by #5544, eff 12-28-92; ss by #5772, eff 1-11-94; ss by #6046-b, eff 6-1-95; ss and moved by #6577, eff 9-13-97 (from Bar 401.02); ss by #7555, eff 9-12-01; ss by #7829, eff 2-13-03; ss by #9315, eff 11-5-08, EXPIRED: 11-5-16

New. #12085, INTERIM, eff 1-14-17, EXPIRED: 7-13-17

New. #12413, eff 11-1-17

Bar 30[3].02 Notification.

(a) The [board] OPLC through a testing agency shall notify applicants of examinations in accordance with RSA 313-A:15. The [board] OPLC's notification sent by the testing company shall be in writing to the applicant at least 10 days prior to the date of the examination.

(b) The notification shall:

- (1) Include the date, time, and place of examination;
- (2) Include a list of supplies needed; and
- (3) Provide a name and telephone number for further assistance.

(c) The testing agency shall notify the [board] OPLC, schools, and all applicants of their exam result in writing.

Source. #1879, eff 12-3-81; amd by #2040, eff 6-3-82; ss by #2539, eff 11-18-83; amd by #2613, eff 2-3-84; ss by #4814, eff 5-16-90; ss by #5308, eff 1-16-92; ss by #5544, eff 12-28-92; ss by #6046-b, eff 6-1-95; ss by #6230, eff 4-26-96; ss and moved by #6577, eff 9-13-97 (from Bar 401.02); ss by #7555, eff 9-12-01; ss by #9315, eff 11-5-08, EXPIRED: 11-5-16

New. #12085, INTERIM, eff 1-14-17, EXPIRED: 7-13-17

New. #12413, eff 11-1-17

Bar 30[3]2.03 Written Examination Criteria.

- (a) Written exams shall be the national tests developed by the National Interstate Council and the board.
- (b) The written exams for barber, master barber, esthetics, manicuring, cosmetology, and instructor shall consist of 100 multiple choice questions for each respective profession.

Source. #5308, eff 1-16-92; ss by #5544, eff 12-28-92; ss by #5772, eff 1-11-94; ss by #6046-b, eff 6-1-95; ss and moved by #6577, eff 9-13-97 (from Bar 402.01); ss by #7555, eff 9-12-01; amd by #9047, eff 12-12-07; ss by #9315, eff 11-5-08; ss by #11096, eff 5-16-16

Bar 30[3]2.04 Written Examination Administration.

- (a) National written examinations shall be administered by a professional testing company's trained and certified representatives known as proctors or examiners or the board.

Commented [TK3]: Certified by who?

- (b) To become a proctor or examiner the licensee shall provide the [board] OPLC with the following:

- (1) Proof of 5 years' work experience in accordance with Bar 211.01(d)(1) through (5);
- (2) A copy of current cosmetology, barber, master barber, manicurist, or esthetician license; and
- (3) A letter stating the licensee would like to become a proctor[~~/~~] or examiner.

- (c) Once the [board] OPLC receives the above information, it shall put the licensee's name on a list for the next available training seminar.

- (d) The training seminar shall include the following:

- (1) Training in administration procedures of the written and practical examination;
- (2) An overview of the practical exam;
- (3) Training on how to reduce candidate test anxiety;
- (4) A discussion of the different types of rater error that decrease the reliability of practical examinations; and
- (5) Step-by-step scoring review.

- (e) The passing grade shall be 75% for each portion of the written examination in accordance with Bar 303.03(a) and (b) for a barber, cosmetologist, esthetician, manicurist and instructor.

- (f) No person, other than the person administering the exam, shall remove the written examination material from the examination area.

Source. #5308, eff 1-16-92; ss by #5544, eff 12-28-92; ss by #6046-b, eff 6-1-95; ss and moved by #6577, eff 9-13-97 (from Bar 402.02); ss by #7555, eff 9-12-01; amd by #9047, eff 12-12-07; ss by #9315, eff 11-5-08; amd by #9652, eff 2-3-10; ss by #11096, eff 5-16-16

Bar 30[3]2.05 Oral Examination.

(a) An oral exam shall be given, in English only, in place of the written examination, if the applicant requests in writing an oral exam from the testing agency or the [board] **OPLC**.

(b) The written request required by (a), above, shall include:

- (1) The name of applicant;
- (2) [His/her] **The applicant's** signature; and
- (3) Current date.

Source. #6577, eff 9-13-97 (from Bar 402.03); ss by #7555, eff 9-12-01; ss by #9315, eff 11-5-08, EXPIRED: 11-5-16

New. #12085, INTERIM, eff 1-14-17, EXPIRED: 7-13-17

New. #12413, eff 11-1-17

Bar 30[3]2.06 Practical Examination Administration.

(a) A practical examination shall be administered in English only and given by trained and certified representatives from the testing agency and the board proctors[*f*] **or** examiners as described in **Bar 303.04**, or the board.

Commented [TK4]: Certified by who?

(b) The passing grade shall be 75 percent for a barber, master barber, cosmetologist, esthetician, manicurist, and instructor on the practical examination.

(c) A practical examination shall be given by trained and certified representatives from the testing agency and the board proctors[*f*] **or** examiners as described in **Bar 303.04**.

Commented [TK5]: Same

(d) The applicant shall bring a mannequin as a model, on whom [he/she] **they** shall demonstrate all tasks. The applicant shall also bring necessary supplies, implements, and appliances. No supplies, implements, or appliances shall be provided to an applicant by the [board] **examiner** or other applicants.

Source. #6577, eff 9-13-97 (from Bar 403.01); ss by #7555, eff 9-12-01; amd by #7829, eff 2-13-03; amd by #9047, eff 12-12-07; ss by #9315, eff 11-5-08; amd by #9652, eff 2-3-10; paras (b)-(d) EXPIRED: 11-5-16; ss by #12085, INTERIM, eff 1-14-17, EXPIRED: 7-13-17

New. #12413, eff 11-1-17

Bar 30[3]2.07 Practical Exam Criteria.

(a) Practical exams shall be the national tests developed by the National Interstate Council to ensure the applicant conforms to the minimal skills taught.

(b) Practical examinations shall be as follows:

(1) The master barber test shall consist of:

- a. Regular tapered haircutting;
- b. Hair lightening;
- c. Hair coloring;
- d. Shaving with a straight razor;
- e. Chemical relaxing;
- f. Chemical waving;
- g. Facial; and
- h. Work area and client preparation;

(2) The cosmetologist test shall consist of:

- a. Chemical waving;
- b. Hair shaping;
- c. Hair coloring;
- d. Hair lightening;
- e. Chemical hair relaxing;
- f. Thermal curling;
- g. Manicuring;
- h. Facials; and
- i. Work area and client preparation;

(3) The esthetician test shall consist of:

- a. Facial massaging;

- b. Facial masks;
 - c. Hair removal of the eyebrows;
 - d. Makeup;
 - e. Cleansing the face;
 - f. Steaming and exfoliating the face; and
 - g. Work area and client preparation;
- (4) The manicurist test shall consist of a:
- a. Basic manicure and polish application;
 - b. Sculptured nail;
 - c. Nail tip;
 - d. Nail wrap; and
 - e. Work area and client preparation;
- (5) The instructor test shall consist of a:
- a. Theory lesson plan;
 - b. Theory lecture;
 - c. Practical demonstration; and
 - d. Demonstration lesson plan; and
- (6) The barber test shall consist of a:
- a. Regular tapered haircutting;
 - b. Shaving with a straight razor;
 - c. Work area and client preparation; and
 - d. Facial.
- (c) A proctor or examiner shall test a maximum of 8 applicants at the same time.

Source. #6577, eff 9-13-97 (from Bar 403.02); ss by #7555, eff 9-12-01; ss by #7829, eff 2-13-03; amd by #9047, eff 12-12-07; ss by #9315, eff 11-5-08, EXPIRED: 11-5-16

New. #12085, INTERIM, eff 1-14-17, EXPIRED: 7-13-16

New. #12413, eff 11-1-17

Bar 30[3]2.08 Failure to Appear.

(a) If an applicant fails without just cause, such as medical emergency, death in the family, or automobile accident, to take the examination they were scheduled for, the temporary permit shall terminate as required by **RSA 313-A:18**.

(b) Upon the expiration of a permit the applicant shall not work in that profession. ~~[The applicant shall return the temporary permit to the board and reapply in accordance with Bar 301.07(b), if he or she still wishes to be licensed.]~~

Source. #6577, eff 9-13-97 (from Bar 404.01); ss by #7555, eff 9-12-01; ss by #9315, eff 11-5-08; ss by #9997-B, eff 9-16-11; ss by #12619, eff 9-13-18

Bar 30[3]2.09 Failure of Exam.

(a) If an applicant fails the written examination, they shall retake the portion of the written exam failed. If an applicant fails, the practical exam they shall retake the entire practical exam.

(b) If an applicant fails the examination, they shall pay the applicable fee(s) to retake the exam~~[, if they still wish to become licensed]~~ as required by _____.

Source. #6577, eff 9-13-97 (from Bar 404.02); ss by #7555, eff 9-12-01; amd by #7829, eff 2-13-03; amd by #8753, eff 11-27-06; amd by #9047, eff 12-12-07; ss by #9315, eff 11-5-08; ss by #10412-B, eff 9-19-13; ss by #13728, eff 10-20-23

Bar 30[3]2.10 Passing the Exam.

(a) When an applicant passes both the practical and written examinations ~~[he or she]~~ they shall pay the licensure fee ~~[in the amount of \$30.00 to the board]~~ **required by Plc 1002.07**. Once the ~~[board]~~ **OPLC** has received the fee a barber, cosmetology, esthetician, manicurist, master barber, or instructor license shall be issued ~~[by the board]~~.

(b) When an instructor passes both the practical and written examinations in another licensure category ~~[he or she]~~ **they** shall pay the ~~[licensure]~~ fee ~~[in the amount of \$60.00]~~ **required by Plc 1002.07**. Once the ~~[board]~~ **OPLC** has received the fee an instructor license for a barber, cosmetology, esthetician, manicurist, or master barber shall be issued ~~[by the board]~~.

Source. #6577, eff 9-13-97 (from Bar 404.03); ss by #7555, eff 9-12-01; ss by #8753, eff 11-27-06; ss by #9315, eff 11-5-08; ss by #9652, eff 2-3-10; ss by #12619, 9-13-18

PART Bar 304 INDIVIDUALS LICENSED IN ANOTHER STATE

Commented [TK6]: Is this under OPLC reciprocal licensure

Bar 304.01 Individuals Licensed In Another State Application.

(a) The board shall license any applicant who is similarly licensed in another state pursuant to RSA 313-A:14.

(b) Upon the board's receipt of a request from an individual licensed in another state, the board shall send to the requestor an "Individuals Licensed in Another State Form" application, revised May 2017.

(c) Applicants who are licensed in another state shall submit the following to the board on the application form:

- (1) The applicant's name, address, and telephone number;
- (2) The applicant's month of birth;
- (3) The type and state of current license;
- (4) Name and address of the school or shop in which the licensee was an apprentice;
- (5) Apprentice enrollment date;
- (6) Apprentice completion date;
- (7) Total apprenticeship hours completed; and
- (8) His or her signature and current date.

(d) In order to verify licensure, each applicant shall request the state board in which the current license is held to complete a certificate of state licensure.

(e) The certificate of state licensure shall include the following:

- (1) The state of licensure and the name of the board or agency that issued the license;
- (2) The name of the applicant;
- (3) The name and address of the school or shop where the apprenticeship was completed;
- (4) The applicant's enrollment and completion date;
- (5) The total number of hours completed;
- (6) The year first license was issued;
- (7) The expiration date of last held license;
- (8) The exam date(s), language exam taken in, and scores;

(9) The signature, current date, and title of the person filling out the certificate of state licensure; and

(10) The state seal, if applicable.

(f) In addition to the requirements in Bar 304.01(c) and (d), the applicant shall submit the following information to the board with the application form:

- (1) A copy of a high school diploma or equivalent certificate;
- (2) A money order, electronic payment, or cash in the amount of \$100.00; and
- (3) A copy of a transcript of training including total number of hours.

(g) If the applicant for a barber, cosmetology, esthetics, manicuring, or master barber license does not have the required hours in accordance with Bar 301.03, but still wishes to become licensed, the applicant shall provide proof of work experience in accordance with Bar 305.01 (c).

(h) Individuals licensed in another state who wish to provide work experience shall provide the number of hours worked on the letter pursuant to Bar 305.01 (c). The minimum number of hours worked shall be 3,000 for master barbers and cosmetologists, 1,600 for a barber, 1200 for an esthetician, and 600 for a manicurist.

Source. #1879, eff 12-3-81; ss by #2539, eff 11-18-83; ss by #2613, eff 2-3-84; ss by #4814, eff 5-16-90; ss by #5308, eff 1-16-92; ss by #5544, eff 12-28-92; ss by #5772, eff 1-11-94; ss by #6046-b, eff 6-1-95; ss by #6230, eff 4-26-96; ss and moved by #6577, eff 9-13-97 (formerly Bar 601.01); ss by #7555, eff 9-12-01; amd by #7828, eff 2-13-03; ss by #8655, eff 6-9-06; amd by #8753, eff 11-27-06; amd by #9047, eff 12-12-07; ss by #9652, eff 2-3-10; ss by #11055, eff 3-18-16; ss by #12226, eff 6-30-17

Bar 304.02 Approving and Denying an Application From an Individual Who is Licensed in Another State.

(a) The board shall approve or deny the application in accordance with Bar 301.02.

(b) The board shall approve an application if:

- (1) The applicant meets the requirements of Bar 304.01(a);
- (2) The application is completed in accordance with Bar 304.01 (c);
- (3) The applicant submits all items required in accordance with Bar 304.01(d) through (f);
- (4) The date required by 304.01 (f) (10) on certificate of state licensure is no more than 60 days since issuance; and

(5) The applicant is deemed to be of good professional character.

(c) The board shall deny an application if the applicant:

- (1) Does not meet the minimum requirements of Bar 304.01(a);
- (2) Does not complete the application in accordance with Bar 304.01(c);
- (3) Did not submit all items in accordance with Bar 304.01 (d) through (f); or
- (4) Is deemed not to be of good professional character, in accordance with the factors in Bar 301.02 (d).

(d) If the board denies an applicant pursuant to (e), above, the board shall return the application and with all attachments and a letter in accordance with Bar 301.02(g).

(e) Once the applicant files the form for individuals licensed in another state, no refund shall be issued if the applicant does not complete the process.

Source. #5308, eff 1-16-92; ss by #5772, eff 1-11-94; ss by #6046-b, eff 6-1-95; ss by #6230, eff 4-26-96; ss and moved by #6577, eff 9-13-97 (formerly Bar 601.02); ss by #7555, eff 9-12-01; ss by #8655, eff 6-9-06, EXPIRED: 6-9-14

New. #10808, eff 4-2-15; ss by #11096, eff 5-16-16

PART Bar 305 **APPLICANTS APPLYING FOR AN EXEMPTION**

Bar 305.01 Applicants Applying for an Exemption.

(a) The board shall grant exemptions, pursuant to RSA 313-A:10, II and RSA 313-A:11, II to the individual who:

- (1) Registered as an apprentice before July 1, 1989;
- (2) Is at least 21 years of age and who does not meet the educational requirements of RSA 313-A:10, I(b) or RSA 313-A:11, I(b) or who cannot document completion of such educational requirements;
- (3) Does not meet the 1,500 hours in a school or 3,000 hours under a licensee in accordance with RSA 313-A:10, I(c)(1) or (2) and RSA 313-A:11, I(1) or (2); or
- (4) Does not meet the 2 years' working experience within the state in accordance with RSA 313-A:10, I(c)(2) and RSA 313-A:11(c)(2).

(b) Requests for exemption shall include a specific reference to RSA 313-A pursuant to Bar 305.01(a) for which an exemption is requested.

(c) The individual requesting an exemption under Bar 305.01(a)(2) shall provide proof of employment in a letter, which includes:

Commented [TK7]: Exemption from what and does this still apply?

- (1) The place of employment and its name & address;
- (2) The months and years worked there;
- (3) The owner's or manager's name and telephone number;
- (4) The owner's or manager's signature and current date; and
- (5) The applicant's signature and current date.

(d) In addition to Bar 305.01(b) the individual requesting an exemption under Bar 305.01(a)(3) shall provide proof of the following:

- (1) A current master barber or cosmetology license;
- (2) At least 300 hours of training in the alternate profession that was obtained in a licensed school, or 4 months in a shop apprenticeship program; or
- (3) Proof of 8 years' work experience.

(e) Proof of personal licensure, school hours, shop apprenticeship program, and work experience shall be as follows:

- (1) A copy of current master barber or cosmetology license;
- (2) Proof of 300 hours in accordance with Bar 301.03(b)(1) through (4), or have been enrolled in the shop apprenticeship program, if applicable; or
- (3) Proof of 8 years' work experience in accordance with Bar 305.01(c)(1) through (5) in a shop licensed pursuant to RSA 313-A:17, if applicable.

(f) The board shall approve or deny an exemption within 60 days of receipt of the request. If the applicant is in accordance with Bar 305.01(a) through (e) an exemption shall be approved.

(g) When an exemption is approved under Bar 305.01(a)(3) the licensee shall immediately complete and file an application for licensure in accordance with Bar 301.07(b) and (c) along with 2 passport photos.

(h) The board shall approve or deny an application in accordance with Bar 301.02(a).

[Source.](#) #7951-B, eff 9-10-03 (formerly Bar 211.01); ss by #9997-B, eff 9-16-11; ss by #12619, eff 9-13-18

PART Bar 303 BARBER, COSMETOLOGIST, ESTHETICIAN, MANICURIST, AND MASTER BARBER LICENSING RENEWAL

Bar 303.01 Renewal of a License. Those applicants who wish to renew a license shall:

(a) Complete and submit the "Universal Application for License Renewal" required by Plc 308.05(b)(1); and

(b) Pay the fee required by Plc 1002.07.

**PART Bar 304 BARBER, COSMETOLOGIST, ESTHETICIAN, MANICURIST, AND MASTER
BARBER LICENSING ACTIVATION OF A LAPSED LICENSE:**

**Bar 304.01 Reinstatement of a Lapsed License. Those applicants who wish to reinstate a
license lapsed for less than one year shall:**

**(a) Complete and submit the “Universal Application for License Renewal” required by Plc
308.05(b)(1); and**

(b) Pay the fee required by Plc 1002.07.

**Bar 304.02 Reactivation of a License Lapsed for More Than One Year. Those applicants who
wish to reactivate a license lapsed for more than one year shall apply for licensure as an initial
licensee in accordance with Bar 301.**