

PROFESSIONAL LICENSURE DIVISION[645]

Notice of Intended Action

Proposing rule making related to licensure of barbers who complete training while in custody of the department of corrections and providing an opportunity for public comment

The Board of Barbering hereby proposes to amend Chapter 21, “Licensure,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 158.15 and 147.76.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 158.3.

Purpose and Summary

2019 Iowa Acts, chapter 99, section 12, amends Iowa Code section 158.3, which governs the licensure requirements of barbers. This proposed rule making amends the Board’s requirements that an applicant who completes a barbering apprenticeship training program registered by the Office of Apprenticeship of the United States Department of Labor while committed to the custody of the Director of the Iowa Department of Corrections shall be allowed to take the examination for a license to practice barbering.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Division of Professional Licensure are subject to the waiver provisions accorded under 645—Chapter 18.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on February 4, 2020. Comments should be directed to:

Susan Reynolds
Professional Licensure Division
Iowa Department of Public Health
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319-0075
Email: susan.reynolds@idph.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

February 4, 2020
8 to 8:30 a.m.

Fifth Floor Conference Room 526
Lucas State Office Building
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making. In an effort to ensure accuracy in memorializing a person's comments, a person may provide written comments in addition to or in lieu of oral comments at the hearing.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Adopt the following **new** definition of "Apprentice" in rule **645—21.1(158)**:

"Apprentice" means any person, other than a helper, journeyman, or master, who is working under the supervision of either a master or a journeyman and is progressing toward completion of a barbering apprenticeship training program registered by the Office of Apprenticeship of the United States Department of Labor while learning and assisting in the practice of barbering.

ITEM 2. Amend paragraph **21.2(1)"a"** as follows:

a. Applicants shall complete a board-approved application form. Application forms may be obtained from the board's ~~Web site (<http://www.idph.state.ia.us/licensure>)~~ website (www.idph.iowa.gov/licensure) or directly from the board office. The application and licensure fees shall be sent to the Board of Barbering, Professional Licensure Division, Fifth Floor, Lucas State Office Building, Des Moines, Iowa 50319-0075.

ITEM 3. Amend paragraph **21.2(1)"c"** as follows:

c. Applicants shall provide an official copy of the transcript or diploma sent directly from the school to the board showing proof of completion of training at a barber school licensed by the board. If the applicant graduated from a school that is not licensed by the board, the applicant shall direct the school to provide an official transcript showing completion of a course of study that meets the requirements of rule 645—23.8(158). If the applicant completed a barbering apprenticeship training program registered by the Office of Apprenticeship of the United States Department of Labor while committed to the custody of the director of the department of corrections, the applicant shall request the department of corrections to provide an official transcript showing completion of the apprentice program.