

PROFESSIONAL LICENSURE DIVISION[645]

Adopted and Filed

Rule making related to theory and practical examination process

The Board of Barbering hereby amends Chapter 5, “Fees,” and Chapter 21, “Licensure,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code chapters 158 and 272C and section 147.76.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 147, 158 and 272C.

Purpose and Summary

This rule making updates the examination registration process and removes the requirement for the practical examination fee to be paid to the Board office.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 11, 2023, as **ARC 6814C**. A public hearing was held on January 31, 2023, at 9:30 a.m. in the Fifth Floor Board Conference Room 526, Lucas State Office Building, Des Moines, Iowa. No one attended the public hearing. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Board on February 27, 2023.

Fiscal Impact

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

Jobs Impact

This rule making expedites initial licensure, which supports the Governor’s priorities.

Waivers

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

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).

Effective Date

This rule making will become effective on May 24, 2023.

The following rule-making actions are adopted:

ITEM 1. Rescind subrule **5.2(4)**.

ITEM 2. Renumber subrules **5.2(5)** to **5.2(17)** as **5.2(4)** to **5.2(16)**.

ITEM 3. Amend paragraph **21.2(1)“e”** as follows:

e. Applicants shall pass both the NIC theory examination and the NIC practical examination with a score of 70 percent or better on each examination.

(1) The applicant shall submit the test registration fee for the written theory and the practical examination directly to the test service.

(2) NIC examinations are administered according to guidelines set forth by the National Interstate Council of State Boards of Cosmetology.

ITEM 4. Rescind and reserve rule **645—21.3(158)**.

ITEM 5. Amend subrule 21.9(3) as follows:

21.9(3) Late renewal. The license shall become late when the license has not been renewed by the expiration date on the wallet card. The licensee shall be assessed a late fee as specified in ~~645—subrule 5.2(10)~~ 645—subrule 5.2(9). To renew a late license, the licensee shall complete the renewal requirements and submit the late fee within the grace period.

ITEM 6. Amend paragraphs **21.11(1)“c”** and **“d”** as follows:

c. A barbershop license may be for a stationary barbershop or a mobile barbershop.

(1) Stationary barbershop. A stationary barbershop license shall be issued for a specific location. A change in location or site of a stationary barbershop shall result in the cancellation of the existing license and necessitate application for a new license and payment of the fee required by ~~645—subrule 5.2(8)~~ 645—subrule 5.2(7). A change of address without change of actual location shall not be construed as a new site.

(2) and (3) No change.

d. A barbershop license is not transferable. A change in ownership of a barbershop shall result in the cancellation of the existing license and necessitate application for a new license and payment of the fee required by ~~645—subrule 5.2(8)~~ 645—subrule 5.2(7).

ITEM 7. Amend subrule 21.16(2) as follows:

21.16(2) Pay the reactivation fee that is due as specified in ~~645—subrule 5.2(11)~~ 645—subrule 5.2(10).

ITEM 8. Amend subrule 21.17(2) as follows:

21.17(2) Pay the reactivation fee that is due as specified in ~~645—subrule 5.2(12)~~ 645—subrule 5.2(11).

[Filed 3/24/23, effective 5/24/23]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 4/19/23.