

CHAPTER 945

DISCIPLINE FOR BARBERING AND COSMETOLOGY ARTS AND SCIENCES LICENSEES,
INSTRUCTORS, ESTABLISHMENTS, AND SCHOOLS

[Prior to 7/29/87, Health Department[470] Ch 151]

[Prior to IAC 12/23/92, see 645—Chapter 62]

[Prior to 9/18/24, see Professional Licensure Division[645] Ch 65]

Chapter rescission date pursuant to Iowa Code section 17A.7: 7/1/29

481—945.1(157,272C) Definitions.

“Board” means the board of barbering and cosmetology arts and sciences.

“Discipline” means any sanction the board may impose upon barbering and cosmetology arts and sciences licensees, instructors, blow-dry stylists, establishments, and schools.

“Licensure” means the granting of a license to any person or entity licensed to practice pursuant to Iowa Code chapter 157 and 481—Chapters 940 through 946.

[ARC 7924C, IAB 5/1/24, effective 7/1/24; Editorial change: IAC Supplement 9/18/24]

481—945.2(157,272C) Grounds for discipline. The board may impose any of the disciplinary sanctions provided in 481—Chapter 504 when the board determines that any of the acts or offenses listed in such chapter or in Iowa Code section 147.55 or any of the following have occurred:

945.2(1) Misappropriation of funds.

945.2(2) Failure to return the salon license to the board within 30 days of discontinuance of business under that license.

945.2(3) Permitting an unlicensed employee or person under the licensee’s or the licensed school’s or establishment’s control to perform activities that require a license.

945.2(4) Permitting a licensed person under the licensee’s or the licensed school’s or establishment’s control to practice outside the scope of the person’s license.

945.2(5) A person is determined by the investigator to be providing barbering and cosmetology services and leaving a salon at the time of inspection, which shall be prima facie evidence that an unlicensed person is providing services for which a license is required.

945.2(6) Performing any of those practices coming within the jurisdiction of the board pursuant to Iowa Code chapter 157, with or without compensation, in any place other than a licensed establishment or a licensed school of barbering and cosmetology arts and sciences.

Exception:

A licensee may practice at a location that is not a licensed establishment or school of barbering and cosmetology arts and sciences when:

a. Providing a service authorized under Iowa Code section 157.4 (Temporary Permits).

b. Providing a service under rule 481—943.17(157), “Events and services provided outside of a licensed establishment” (Iowa Code section 157.13(1) “a”).

c. Extenuating circumstances related to the physical or mental disability or death of a customer prevent the customer from seeking services at the licensed establishment or school.

[ARC 7924C, IAB 5/1/24, effective 7/1/24; Editorial change: IAC Supplement 9/18/24]

481—945.3(157,272C) Unlawful practices. Practices by an unlicensed person or establishment that are subject to civil penalties include, but are not limited to:

945.3(1) Acts or practices by unlicensed persons that require licensure to practice barbering and cosmetology arts and sciences under Iowa Code chapter 157.

945.3(2) Acts or practices by unlicensed establishments that require licensure as an establishment or school of barbering and cosmetology arts and sciences under Iowa Code chapter 157.

[ARC 7924C, IAB 5/1/24, effective 7/1/24; Editorial change: IAC Supplement 9/18/24]

These rules are intended to implement Iowa Code chapters 147, 157 and 272C.

[Filed 10/4/85, Notice 8/28/85—published 10/23/85, effective 11/27/85]

[Filed emergency 7/10/87—published 7/29/87, effective 7/10/87]
[Filed 8/4/89, Notice 6/14/89—published 8/23/89, effective 9/27/89]
[Filed 2/2/90, Notice 12/27/89—published 2/21/90, effective 3/28/90]
[Filed 9/27/91, Notice 6/12/91—published 10/16/91, effective 11/20/91]
[Filed 12/4/92, Notice 8/5/92—published 12/23/92, effective 1/29/93]
[Filed 2/11/94, Notice 10/27/93—published 3/2/94, effective 4/6/94]
[Filed 5/28/99, Notice 4/7/99—published 6/16/99, effective 7/21/99]
[Filed 2/1/01, Notice 11/29/00—published 2/21/01, effective 3/28/01]
[Filed 8/14/03, Notice 5/28/03—published 9/3/03, effective 10/8/03]
[Filed 2/3/05, Notice 11/24/04—published 3/2/05, effective 4/6/05]
[Filed 8/5/05, Notice 5/25/05—published 8/31/05, effective 10/5/05]
[Filed 11/4/05, Notice 8/31/05—published 11/23/05, effective 12/28/05]
[Filed 2/1/06, Notice 11/23/05—published 3/1/06, effective 4/5/06]
[Filed 2/1/06, Notice 12/7/05—published 3/1/06, effective 4/5/06]
[Filed 10/24/07, Notice 9/12/07—published 11/21/07, effective 1/1/08]
[Filed 12/5/08, Notice 10/8/08—published 12/31/08, effective 2/4/09]
[Filed ARC 8515B (Notice ARC 8330B, IAB 12/2/09), IAB 2/10/10, effective 3/17/10]
[Filed ARC 5755C (Notice ARC 5455C, IAB 2/24/21), IAB 7/14/21, effective 8/18/21]
[Filed ARC 7924C (Notice ARC 7541C, IAB 1/24/24), IAB 5/1/24, effective 7/1/24]
[Editorial change: IAC Supplement 9/18/24]