

**PROFESSIONAL LICENSURE DIVISION[645]**

**Notice of Intended Action**

**Proposing rulemaking related to continuing education for barbering and cosmetology arts and sciences and providing an opportunity for public comment**

The Board of Barbering and Cosmetology Arts and Sciences hereby proposes to rescind Chapter 64, “Continuing Education for Cosmetology Arts and Sciences,” and to adopt a new Chapter 64, “Continuing Education for Barbering and Cosmetology Arts and Sciences,” Iowa Administrative Code.

*Legal Authority for Rulemaking*

This rulemaking is proposed under the authority provided in Iowa Code sections 147.76, 157.14, 272C.3, 272C.4 and 272C.10.

*State or Federal Law Implemented*

This rulemaking implements, in whole or in part, Iowa Code chapters 17A, 147, 157 and 272C.

*Purpose and Summary*

This proposed rulemaking sets forth continuing education requirements for barbers, cosmetologists, nail technicians, estheticians, electrologists, and instructors. The rulemaking includes definitions related to continuing education, the required number of hours of continuing education that licensees are required to obtain, the standards that licensees need to meet in order to comply with the rules, and the types of continuing education courses that are permissible. The intended benefit of continuing education is to ensure that licensees stay up to date with infection control, laws, rules, and industry standards and, as a result, provide high-quality services to Iowans.

One public comment was received during the November 21, 2023, public hearing. The commenter asked how subrule 64.2(1) will apply to persons previously licensed as barbers who have had a different reporting period. The Board responded that all current expiration and renewal dates remain in force until further notice from the Department of Inspections, Appeals, and Licensing.

*Fiscal Impact*

This rulemaking has no fiscal impact to the State of Iowa.

*Jobs Impact*

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

*Waivers*

A waiver provision is not included in this rule making because all administrative rules of the Board are subject to the waiver provisions accorded under 645—Chapter 18.

*Public Comment*

Any interested person may submit written or oral comments concerning this proposed rulemaking. Written or oral comments in response to this rulemaking must be received by the Board no later than 4:30 p.m. on February 14, 2024. Comments should be directed to:

Venus Vendoures Walsh  
Division of Licensing  
Iowa Department of Inspections, Appeals, and Licensing  
6200 Park Avenue, Suite 100  
Des Moines, Iowa 50321-1270  
Phone: 515.242.6529  
Email: [venus.vendoures-walsh@idph.iowa.gov](mailto:venus.vendoures-walsh@idph.iowa.gov)

*Public Hearing*

Public hearings at which persons may present their views orally or in writing will be held as follows:

February 13, 2024 1:50 to 2:10 p.m.	6200 Park Avenue Des Moines, Iowa Video call link: <a href="https://meet.google.com/jji-jaoj-uqy">meet.google.com/jji-jaoj-uqy</a> Or dial: 1.904.330.1060 PIN: 744 558 427# More phone numbers: <a href="tel:meet/jji-jaoj-uqy?pin=4753713549740">tel.meet/jji-jaoj-uqy?pin=4753713549740</a>
February 14, 2024 1:50 to 2:10 p.m.	6200 Park Avenue Des Moines, Iowa Video call link: <a href="https://meet.google.com/jji-jaoj-uqy">meet.google.com/jji-jaoj-uqy</a> Or dial: 1.904.330.1060 PIN: 744 558 427# More phone numbers: <a href="tel:meet/jji-jaoj-uqy?pin=4753713549740">tel.meet/jji-jaoj-uqy?pin=4753713549740</a>

Persons who wish to make oral comments at a public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend a 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 rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking 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 rulemaking action is proposed:

ITEM 1. Rescind 645—Chapter 64 and adopt the following **new** chapter in lieu thereof:

CHAPTER 64

CONTINUING EDUCATION FOR BARBERING AND COSMETOLOGY ARTS AND SCIENCES

**645—64.1(157) Definitions.** For the purpose of these rules, the following definitions shall apply:

“Active license” means a license that is current and has not expired.

“Approved program/activity” means a continuing education program/activity meeting the standards set forth in these rules.

“Audit” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified time period.

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

“Continuing education” means planned, organized learning acts acquired during licensure designed to maintain, improve, or expand a licensee’s knowledge and skills in order for the licensee to develop

new knowledge and skills relevant to the enhancement of practice, education, or theory development to improve the safety and welfare of the public.

*“Hour of continuing education”* means at least 50 minutes spent by a licensee completing an approved continuing education activity through live, virtual, online or prerecorded means where the instructor provides proof of completion by the licensee as set forth in these rules.

*“Inactive license”* means a license that has expired because it was not renewed by the end of the grace period. The category of “inactive license” may include licenses formerly known as lapsed, inactive, delinquent, closed, or retired.

*“Independent study”* means a subject/program/activity that a person pursues autonomously that meets standards for approval criteria in the rules and includes a posttest.

*“License”* means license to practice.

*“Licensee”* means any person or entity licensed to practice pursuant to Iowa Code chapter 157 and 645—Chapters 60 to 65.

*“Practice discipline”* means the practice of electrology, esthetics, nail technology, or barbering and cosmetology as recognized by the board of barbering and cosmetology arts and sciences.

*“Prescribed practice”* means an area of specialty certified by the board within the scope of barbering and cosmetology arts and sciences.

**645—64.2(157) Continuing education requirements.**

**64.2(1)** The biennial continuing education compliance period shall begin on April 1 of one year and end on March 31 two years later.

**64.2(2)** Each biennium:

a. A licensee in this state shall be required to complete a minimum of six hours of continuing education that meets the requirements of rule 645—64.3(157,272C). A minimum of four of the six hours shall be in the prescribed practice discipline and a minimum of two of the six hours shall be in the content areas of Iowa barbering and cosmetology law and rules and sanitation. Individuals holding more than one active license shall obtain four hours of continuing education in each prescribed practice discipline and an additional two hours in the content areas of Iowa barbering and cosmetology law and rules and infection control.

b. A licensee who is an instructor of barbering and cosmetology arts and sciences shall obtain six hours in teaching methodology in addition to meeting all continuing education requirements for renewal of the instructor’s practice license. A licensee must comply with all conditions of licensure including obtaining a minimum of two hours each biennium specific to Iowa barbering and cosmetology law and administrative rules as specified in subrule 64.3(2).

c. A licensee currently licensed in Iowa but practicing exclusively in another state may comply with Iowa continuing education requirements for license renewal by meeting the continuing education requirements of the state or states where the licensee practices. The licensee living and practicing in a state that has no continuing education requirement for renewal of a license shall not be required to meet Iowa’s continuing education requirement but shall pay all renewal fees when due.

d. A licensee shall be deemed to have complied with the continuing education requirements of this state during periods that the licensee:

- (1) Serves honorably on active duty in the military services, or
- (2) Is the spouse of an active duty military service person, or
- (3) Is a government employee working in the person’s licensed specialty and assigned to duty outside of the United States, or
- (4) Is engaged in active practice and absent from the state, as approved by the board.

**64.2(3)** Requirements of new licensees. Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses. Continuing education hours acquired any time from the initial licensing until the second license renewal may be used.

**64.2(4)** Hours of continuing education credit may be obtained by attending and participating in a continuing education activity. These hours must be in accordance with these rules.

**64.2(5)** No hours of continuing education shall be carried over into the next biennium. A licensee whose license was reactivated during the current renewal compliance period may use continuing education earned during the compliance period for the first renewal following reactivation.

**64.2(6)** It is the responsibility of each licensee to finance the cost of continuing education.

**64.2(7)** Requirements for blow-dry stylists are outlined in Iowa Code section 157.12C.

**645—64.3(157,272C) Standards.**

**64.3(1) General criteria.** A continuing education activity that meets all of the following criteria is appropriate for continuing education credit if the continuing education activity:

- a. Constitutes an organized program of learning that contributes directly to the professional competency of the licensee;
- b. Pertains to subject matters that integrally relate to the practice of the profession;
- c. Is conducted by individuals who have specialized education, training and experience by reason of which said individuals should be considered qualified concerning the subject matter of the program.

At the time of audit, the board may request the qualifications of presenters;

- d. Fulfills stated program goals, objectives, or both; and
- e. Provides proof of attendance to licensees in attendance including:
  - (1) Date, location, course title, presenter(s), sponsor(s);
  - (2) Number of program contact hours; and
  - (3) Evidence of successful completion of the course provided by the course sponsor.

**64.3(2) Specific criteria.** The licensee may obtain the minimum continuing education hours of credit outlined in paragraph 64.2(2)“a” by:

- a. Attending workshops, trade shows, conferences or symposiums.
- b. Accessing online training, such as viewing interactive conferences, attending webinars, or completing online training courses.
- c. Attending programs on product knowledge, methods and systems. Continuing education shall be directly related to the technique and theory specific to the practice of barbering and cosmetology arts and sciences. No direct selling of products is allowed as part of a continuing education offering.
- d. Attending business classes specific to owning or managing an establishment are acceptable. In addition to fulfilling the requirements in rule 645—64.2(157), for each prescribed practice license held by a licensee, the licensee is to complete four hours in each area.

**64.3(3) Specific criteria for providers and sponsors of continuing education.**

a. Continuing education shall be obtained by attending programs that meet the criteria in subrule 64.3(1). Individuals or groups may offer continuing education programs for any prescribed practice within the barbering and cosmetology arts and sciences that meet the criteria in rule 645—64.3(157,272C) offered by or with express sponsorship in advance of delivery by the following organization(s):

- (1) Barbering and cosmetology arts and sciences organizations, including:
  1. National, state or local associations;
  2. Schools and institutes;
  3. Textbook publishers.
- (2) Universities, colleges or community colleges;
- (3) If intense pulsed light (IPL) or microdermabrasion is within the licensee’s prescribed practice as outlined in rule 645—60.5(157), manufacturers or institutes of laser technology.

b. A licensee who is a presenter of a continuing education program that meets the criteria in rule 645—64.3(157,272C) may receive credit once per biennium for the initial presentation of the program. The presenter may receive the same number of hours granted the attendees.

These rules are intended to implement Iowa Code section 272C.2 and chapter 157.