



Board of Barbers & Hairdressers Meeting

Alaska Division of Corporations, Business and Professional Licensing
December 9, 2025 at 10:00 AM AKDT to December 9, 2025 at 1:00 PM
AKDT

Zoom Details: <https://us02web.zoom.us/j/81221587837>

Meeting ID: 812 2158 7837

Call In:1-408-638-0968

TENTATIVE MEETING AGENDA

Working Groups May Occur

Agenda:

1. 10:00 a.m. December 9, 2025 Call to Order/Roll Call
2. 10:05 a.m. Review/Amend Agenda
3. 10:10 a.m. Ethics Disclosure
4. 10:20 a.m. Administrative Order (AO) 360 Planning
5. 1:00 p.m. Adjourn

III. Executive Branch Ethics

Service on a state board or commission is a public trust and members are expected to conduct the public's business in a way that preserves the integrity of the governmental process and avoids conflicts of interest. The Ethics Act (AS 39.52) doesn't forbid public officers from having opinions, interests, or professional pursuits outside of their service on boards or commissions, but it does require that members disclose certain matters so a determination can be made about whether they constitute a conflict of interest.

Compliance with the Executive Branch Ethics Act

All board and commission members and staff should be familiar with the procedures outlined below. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government. Additional information is available from the Alaska Department of Law at <http://law.alaska.gov/doclibrary/ethics.html>. Much of the information in this section of the manual is taken directly from this site.

Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they or an immediate family member have a personal or financial interest;
- coerce subordinates for his/her personal or financial benefit, or
- attempt to influence the outcome of an administrative hearing by privately contacting the hearing officer.



Alice knew that a proposal that was before the board would harm Alice's business partner. Instead of publicly disclosing the matter and requesting recusal, Alice engaged in discussions about the proposal and voted on the proposal.



Jack serves on a board that regulates parts of the building construction industry. Wearing a nametag that identifies him as a member of the industry board, Jack goes to a contractors' trade show and sets up a booth for his consulting business, called "Building a Future in Alaska."

Improper Gifts (AS 39.52.130)

A board or commission member may not solicit or accept a gift if it could reasonably be inferred that the gift is intended to influence the member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. The division has interpreted this guidance narrowly to ensure transparency in awareness and reporting.

Travel includes any expense paid directly to the board member in conjunction with a trip connected to the member's position on the board. This type of trip must be approved through the division and all reimbursements made through the CBPL Travel Desk to avoid violating the state's rules regarding travel.

(See section on travel.) All gifts from registered lobbyists are presumed to be improper unless the giver is an immediate family member of the person receiving the gift. This restriction on gifts does not apply to lawful campaign contributions.


A gift worth more than \$150 to a board or commission member or the member's family must be reported within 30 days if:


- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board or commission.


The receipt of a gift worth less than \$150 may be prohibited if it could reasonably be inferred that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board or commission member will be advised as to the disposition of this gift.

A form for reporting gifts is available at law.alaska.gov/doclibrary/ethics.html or from the board or commission staff.


 The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay since he isn't excluding any of the members.


 Sam buys a holiday gift every year for Jody. Jody was recently appointed to a board, but Sam has no business that is up before the board.

 Margie is a board member and decides to take a last-minute trip to a national conference for state board members in her industry. She is directly reimbursed by the national association for her meals, airfare, and rental car.

Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board or commission may use or disclose any information acquired through official duties if that use or disclosure could result in a financial or personal benefit to the board member (or a family member) unless that information has already been disseminated to the public.

 Sheila has been on the licensing board for several years. She feels she has learned a great deal of general information about how to launch a successful business venture. So, she sets up her own company helping small businesses get started and does well. She is careful not to assist in completing license applications that will be evaluated by the board on which she serves.

 Gordon is a tattoo artist and the reviewing board member for an investigation of serious potential violations of health and safety issues by a licensed shop owner. Before the board votes on the matter, he tells several people who are thinking of getting a tattoo there about the confidential matter and encourages them to come to his shop instead.


Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)


A board member who can affect the award or administration of a State grant, contract, lease, or loan may not apply for, or have an interest in that State grant, contract, lease, or loan. This prohibition also applies to the board member's immediate family.

A board member (or a family member) may apply for or be a party to a *competitively solicited* State grant, contract or lease, if the board member does not serve in the same administrative unit awarding or administering the grant, contract, or lease *and* so long as the board member does not take official action in the award or administration of the grant, contract, or lease.

A board member (or a family member) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the award or administration of the loan.


Board members must report to the board chair any personal or financial interest (or that of a family member) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at law.alaska.gov/doclibrary/ethics.html or from the board or commission staff.

 John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years, but he figures that it doesn't matter when her grant application comes up before the board; he votes on the grant to his daughter, without disclosing the relationship to the board. (While voting for the grant looks worse than voting against the grant, the Ethics Act prohibits deliberating or voting on the issue regardless of what position the board member takes.)

 The board wants to contract out for an analysis of the board's decisions over the last ten years. Kim bids on the contract since she has been on the board for ten years and feels she could do a good job.

Improper Representation (AS 39.52.160)

A non-salaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refrains from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act. So, the member must disclose the fact of the member's involvement in the regulated matter and abide by the board or commission's finding as to the existence of a conflict of interest.


 Delores has always coordinated continuing education opportunities for the physicians in her practice. After Delores is appointed to the State Medical Board, she discloses this role to the board and continues to coordinate these classes in her capacity as a private individual, not a board member.


Restriction on Employment after Leaving State Service (AS 39.52.180)


For two years after leaving a board, a former board member may not work on any matter on which the former member had personally and substantially participated while on the board. This prohibition applies to cases, proceedings, applications, contracts, and similar matters.


Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.

This section does not prohibit a State agency from contracting directly with a former board member. With the approval of the Attorney General, the board chair may waive this prohibition if a determination is made that the public interest is not jeopardized.

 The board has arranged for an extensive study of the effects of the department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the department's programs.

 Andy takes the job, but he specifies that he will have to work on another project.

 Patrice, a licensed health care provider who is about to leave board service after eight years, is asked by a non-profit organization to work as their government relations director, which will require her to register as a lobbyist. She starts work for the organization in this capacity one week after her term on the board ends.

 Patrice accepts a clinical position with the non-profit organization instead.

Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate this chapter is prohibited.

Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

Disclosure Procedures (AS 39.52.220-250)

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act has several ethics supervisors designated by statute. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director. This does not apply to professional licensing boards and commissions, whose staff are employees for the Department, not the board.
- The Department of Commerce, Community, and Economic Development has assigned a Special Assistant to serve as DES for staff.
- The governor is the DES for a chair. The governor has delegated the DES responsibility to the Director of Administrative Services in the Office of Governor.

What Do I Have to Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease, or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The staff of a board or commission, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* Staff should refer to the guide, *Ethics Information for Public Employees."*

Both guides and disclosure forms may be found on the Department of Law's ethics website:

<http://law.alaska.gov/doclibrary/ethics.html>.

How Do I Avoid Violations of the Ethics Act?

- When in doubt, disclose and seek advice from division staff or the department Boards and Regulations Advisor.
- Make timely disclosures.
- Follow required procedures.
- Provide all information necessary to a correct evaluation of the matter. You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.
- Follow the advice of your DES.

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120.

One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedures for Declaring Actual or Potential Conflicts

Members must declare potential conflicts and other matters that may violate the Ethics Act in writing to the chair. Public disclosure may take the place of a written disclosure if the meeting is recorded, a tape or transcript of the meeting is preserved, and there is a method for identifying the declaration in the record.

- Notice of Violation or Request for Determination forms should be filed with the Designated Ethics Supervisor (the board chair) as soon as known.
- If a determination on whether a conflict exists on a matter pending before the board, it is ideal for the conflict to be submitted to the chair with enough time for the determination to be made—usually several weeks.
- If the matter is before the board before a determination has been made, the member must

refrain from voting, deliberations or other participation on it. In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease, or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair before the meeting.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting.

- A member identifying a conflict or potential conflict may submit a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential. No one may discuss or disclose this information.
- The chair may contact staff to seek advice from the Attorney General. Staff and the AAG will walk the chair through the process.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter. The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.
- If the chair determines that the member would violate the Ethics Act by taking official action, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- A general oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting. In this manner, a member's detailed personal and financial information may be protected from public disclosure.

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The member must declare she or he has a potential conflict regarding a matter before the board.
- The chair states his or her determination regarding whether the member may participate. This ruling must be consistent with Attorney General advice and statute/regulation.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- Exception: A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating, or participating in the matter. When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

If the chair identifies a potential conflict of his or her own, the same procedures are followed. If

possible, the chair should forward a confidential written notice of potential violation through staff to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating, or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded by staff to the Office of the Governor for review by the chair's Designated Ethics Supervisor (DES).

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the DES for approval. The disclosure forms are found on the Department of Law's ethics website: law.alaska.gov/doclibrary/ethics.html.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted in writing and under oath.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist. The DES provides a copy of the notice to the employee or board/commission member who is the subject of the notice and may seek input from the employee or board/commission member, his or her supervisor and others. The DES may seek advice from the Attorney General.
- A copy of the DES' written determination is provided to the subject employee or board/commission member and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee or board/commission member of the personal or financial interests giving rise to the potential violation.
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- These matters are confidential unless the subject waives confidentiality or the matter results in a public accusation.

What Are the Procedures for Quarterly Reports?

Generally, Designated Ethics Supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act. In this division, staff compile any disclosures received during a meeting or outside of a meeting via the chair, then forward them on a quarterly basis to the Division Director, who send them to the department DES.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a written request to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides advice by phone or e-mail to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

Complaints, Hearings, and Enforcement (AS 39.52.310-370, AS 32.52.410-460)

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints from information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal.

The Attorney General may refer a complaint to the board member's chair for resolution. After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. An accusation may result in a hearing.

When the Personnel Board determines a board member has violated the Ethics Act, the member must refrain from voting, deliberating, or participating in the matter. The Personnel Board may order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member. If the Personnel Board finds that a former board member violated the Ethics Act, the Personnel Board will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

Conflict of Interest and Ex Parte Communication

Conflicts outside of the Executive Branch Ethics Act may arise due to improper communication with a stakeholder. "Improper communication" can be any communication with an interested party where the communication is about something on which the board has authority to act, and which comes outside of a publicly-noticed meeting. A familiar example is the contact that a member of a jury could have with people or even news stories that could bias their opinion unfairly. Sometimes it is impossible for juries in high-profile cases to avoid hearing information that is inadmissible in court, so they are sequestered in hotel rooms with no television or public contact.

Board and commission members are not likely to be treated to such extremes, but they must take care not to discuss matters with others or among each other outside of appropriate meeting channels.

Ex-Parte Contact

The foundation of due process is that each side in a dispute has the opportunity to be heard. If one side has the opportunity to make an argument, the other side must have the opportunity to respond. It is sometimes tempting for an applicant, licensee, or attorney to attempt to circumvent the usual application decisionmaking procedures, to seek information on a pending application, to discuss a pending disciplinary action, or to seek to influence an individual's decision by directly contacting one of the board members. Such communications are called "ex parte" communications.

Ex parte communications are improper. The result of such a communication is that the board member so contacted may be unable to discuss, participate in, or vote on the application or disciplinary action.

The risk to the applicant or licensee who attempts such communication is that a board member who might have been favorably disposed to their license application or disciplinary case may not be able to participate in the decision or vote.

Ex parte communication must be disclosed. Should any individual attempt to contact you to discuss a license application or disciplinary case, please refer them to a staff member (licensing examiner, investigator, or executive administrator) for response.

Should you experience an ex parte communication, alert the chair about the contact in writing before the meeting and on the record at the beginning of the meeting so he or she can determine whether it is appropriate that you be recused from the discussion, deliberation, and vote. As the DES for the board, the chair is required to declare any conflict on the record.

If you are unsure about the nature and extent of the contact, please contact the board's staff for guidance.

Conflict Due to Market Interest

Another interesting conflict of interest issue that is gaining awareness is that of the potential for disproportionate influence of "active market participants" on boards. An active market participant is defined as someone who is currently engaged in the profession that the board regulates—or, licensees.

By nature, all licensed members of a board have an inherent market interest. However, determining whether a conflict exists goes a little deeper. Questions board members may ask to evaluate whether there is a possibility of running afoul of AS 39.52.120 (Misuse of Official Position):

- Does the matter involve an individual or business that is a direct competitor?
- Will ruling on this matter have a meaningful or measurable financial outcome for me, my family, or my business?
- Is there a *perception* that either of these answers are "yes"?
- A licensee wishes to utilize a new, cutting-edge health care technology and is seeking the

board’s “thumbs up” in approving it for practice in Alaska. A member of the board is an investor in this technology and is considering utilizing it in his practice. The board member discloses this financial interest and asks to be recused from deliberation and vote. The chair recuses him, and he does not participate.

Market conflicts can extend to entire boards, as well. A 2015 United States Supreme Court decision ([*North Carolina Board of Dental Examiners v. Federal Trade Commission*](#)) resulted in a ruling that stripped the board of its immunity when addressing what might have seemed like a routine matter: The board violated the Sherman Act when it directed staff to send cease-and-desist letters to unlicensed teeth whiteners. Under North Carolina law, the teeth whitening companies posed a direct financial threat to dentists. By instructing them to close, they deprived the businesses of due process—as well as an income. The board did not work through their attorney or follow the standard investigative process when directing these individuals to close their businesses.

The case is complex, yet under Alaska law, the takeaway for professional licensing boards is straightforward:

- Ensure that the division’s investigative standard operating procedures are followed.
- Adhere to the Administrative Procedure Act when taking action against anyone, licensed or unlicensed.
- Invite the department Boards and Regulations Advisor to assist with decisionmaking processes.
- Ask staff to invite an agency attorney to advise in policymaking that may restrict those outside the profession from engaging in business practices.
- Hold all deliberations in public view and invite the public to actively observe and comment.

Regarding matters involving ethics or potential real or perceived conflicts of interest, always ask for help well ahead of a meeting on the matter. Obtaining proper advice and following it will ensure everyone’s rights are protected and that the most appropriate process is followed.

Board Members and Public Records

As officers of the state, board members are compelled to adhere to state standards of documents and information shared with them. This may mean maintaining strict confidentiality, which could require saving on an unshared computer or storing in a locked cabinet. Confidential documents should always be transmitted via OnBoard, ZendTo, or using email encryption.

All emails, documents, handwritten notes, texts, and other means of communicating state business are discoverable. Many board members set up separate email addresses to ensure their state business is separate from work accounts or their personal lives. If communication on a legal matter were to be subpoenaed, it is possible that deep entanglement could require confiscation of a personal cell phone or computer. Board members are advised to become familiar with the standards and take steps to separate accounts, documents, and other information containing state business.

Ethics Disclosure Form

<p style="text-align: center;">CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION</p>
--

TO: _____, Designated Ethics Supervisor

(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- AS 39.52.120, Misuse of Official Position
- AS 39.52.130, Improper Gifts
- AS 39.52.140, Improper Use or Disclosure of Information
- AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- AS 39.52.160, Improper Representation
- AS 39.52.170, Outside Employment Restricted
- AS 39.52.180, Restrictions on Employment after Leaving State Service
- AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.

Ethics Disclosure Form

Receipt of Gift

TO: _____, Designated Ethics Supervisor, _____
(Agency, Public Corporation, Board,
Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?

Yes No

2. Can I take or withhold official action that may affect the person or entity that gave me the gift?

Yes No

(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is _____

Identify gift giver by full name, title, and organization or relationship, if any:

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

My estimate of its value is \$ _____ The date of receipt was _____

The gift was received by a member of my family. Who? _____

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division)

(Position Title)

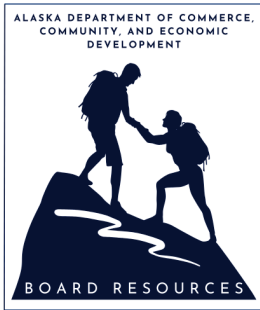
(Location)

Ethics Supervisor Determination: Approve Disapproved

Designated Ethics Supervisor*

(Date)

**Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*



Strategies for Boards to Get the Most Out of the AO 360 Regulatory Review Process

DCCED Boards and Regulations Resources
October 2025

Sara Chambers
Boards and Regulations Advisor
Agency Regulatory Liaison

Introduction

Administrative Order 360 was issued by Governor Dunleavy on August 4, 2025, with the purpose of improving the quality, transparency, and efficiency of the State's regulatory environment by:

- Promoting growth and investment in Alaska by reducing administrative and economic burdens associated with regulatory compliance, including removing barriers, finding solutions, and identifying alternative pathways.
- Streamlining permitting processes and improving coordination and efficiency within all permitting departments.
- Ensuring boards and commissions adjust regulatory structures as necessary to maintain critical consumer protection while eliminating unnecessary barriers to entry for new professionals.
- Engaging stakeholders early and continuously in the regulatory development and reform process.
- Ensuring all regulations are clearly written, legally sound, and supported by a demonstrated need.
- Regularly evaluating existing regulations for effectiveness, redundancy, clarity, and impact.
- Reducing the regulatory burden on all Alaskans.

As a board with regulatory authority, under the AO you are required to engage in a process that includes the steps below to produce the following deliverables:

- By December 29 (LBC, AIDEA, AEA, AOGCC, RCA)/February 13 (CBPL and AMCO): Produce a *Regulatory Reform Plan* to reduce your regulatory requirements by 15% by December 31, 2026, and 25% by December 31, 2027 (cumulative), in accordance with the *Regulatory Reduction Guide*. At a minimum, each proposed plan for regulatory reform must:
 - List each specific regulation identified for reform;
 - Include a decisional document identifying recommendations received, how they were considered for inclusion in the *Plan*, and (if appropriate) reasons for rejection;
 - Propose how the agency will organize the regulations identified for reform into discrete projects for submittal to the Department of Law for preliminary review;
 - Identify whether agency staff will be drafting the revised regulations or whether the agency is requesting drafting assistance from the Department of Law; and
 - Provide a timeline for submitting the draft revised regulations to the Department of Law for preliminary review.

The plan may also include proposed reductions in guidance documents as a means to meet the reduction percentages.

- Propose regulation changes per the Administrative Procedures Act to meet adoption timelines in the board's approved *Regulatory Reform Plan*.
- By September 4, 2026, and periodically prior to publication: Submit updates to guidance documents for Department of Law review per the process outlined in the *Regulatory Reduction Guide*.
- By September 18, 2026: Submit to the Agency Regulatory Liaison their projected regulatory plan that lists all anticipated rulemaking actions for the subsequent state fiscal year

As volunteer boards with many existing time-sensitive responsibilities, this task may seem daunting. However, it is truly an opportunity. This guide will assist you in strategizing -- not only to attain compliance but to produce excellence.

Engage the public, staff, and stakeholders

Cast a wide net for input. Stakeholders will have different perspectives, so invite the spectrum of those who interact with your regulations. These may be people or entities who are regulated, those who receive services, partner agencies or organizations...even those who have been critical of the board in the past. Ask staff for their suggestions; they are the front line in answering calls, processing applications, or investigating complaints.

Ensure your board understands the mission and has the materials to be successful

If you haven't already done so, schedule a 30-minute introduction on AO 360 at your upcoming meeting, or schedule a special meeting to hear this information and strategize how you will wrap your arms around this initiative. The division director, lead staff, or I are happy to walk through our presentation about the goals and timeline and answer questions.

Staff will provide the following information, which you will need to perform your work well and to comply with the governor's deliverables and deadlines:

- *A decisional document listing any public comments received during the listening sessions or via email/mail.*
This document will include space for your board to consider how to respond and to codify your response, which is required.
- *List of regulations and number of discretionary requirements in each section.*
You are required to present an overview of how you plan to change the regulation and to list the number and percentage of reductions expected from this change. You'll also need to indicate whether you expect to need attorney help in drafting, how you plan to package your regulations into manageable projects, as well as your timeline for completion.
- *List of guidance documents and their length.*
You are not required to include reductions in guidance documents as part of your 15% or 25% reductions but streamlining regulations should naturally produce streamlined guidance. Adopting clear and concise regulations reduces the need to explain them. You can use these reductions in guidance documents to help meet these reduction goals.
- *Suggestions for regulatory or guidance document improvements from their perspective.*
Staff should include their ideas for changes, especially to administrative burdens that hold back effective outcomes, outdated or unnecessary requirements, errors, and stumbling blocks that generate confusion.
- *A correct and current copy of your statutes, other agency statutes, regulations, and relevant federal codes that impact your program.*
The assignment includes reviewing all regulations, not just responding to public comments. Having these materials at your fingertips can ease the hunt for applicable information, especially when double-checking what regulations may be discretionary.
- *The Regulatory Reduction Guide issued by the Department of Law, as well as any additional relevant guidance from the Agency Regulatory Liaison.*

Organize according to your board's strengths

Board chairs should think about the strengths, skill sets, and makeup of their team, then suggest an efficient pathway to tackling the regulatory review process. Some ideas:

- *Schedule additional meetings so the entire board engages in the work.* This is most effective with smaller boards when committees might not make sense.
- *Divide and conquer:*
 - *Assign each member a section to analyze and report back to the board.*
This can be successful if the section is linked to type of license or expertise held by the board member. For example, someone holding the engineer or physician seat could review the technical sections that might not be within the knowledge base of a public member. The public member could review the sections relating to investigations or administration, which may relate best to the consumer experience and not require technical expertise.
 - *Form a committee of board members to review the regulations and report back to the board.*

This may be best suited to members who are critical readers and excel at documentation, policies, procedures, etc. They can dig deep and may even enjoy the process. Other members of the board could independently review public-facing guidance documents or pick up work outside of AO 360 to help lighten the load for those serving on the committee.

- *Form a work group of board members and key public persons, such as industry or representatives of certain constituencies.*

The board should identify these members in the motion when they vote to create the work group. While the public should be invited to offer input, not every person who calls in may merit a seat at the table. The work group ensures varied perspectives are presented and heard.

As a reminder, meetings of committees and workgroups must be publicly noticed. To ensure transparency and complete engagement and awareness by all members, your *Regulatory Reform Plan* should be approved by a roll call vote on the record of a public meeting.

Review all regulations with a fresh lens

The initiative provides boards with an opportunity to review all of their regulations afresh; given the myriad complex priorities of a regulatory board, a comprehensive regs review may not be part of an established rhythm. To maximize the value of the project, ensure that members approach it with the goals of AO 360 in mind: Seeking to reduce regulatory burdens, streamline and modernize requirements, and eliminate unnecessary barriers to entry.

Keep in mind that this does not include jeopardizing the safety of the public. However, it does create accountability among boards for using their highest faculties in determining whether existing standards and processes are appropriate. Strategies boards might use to approach this project include:

- Using a framework or system to adhere to the principles of “right-touch regulation.” (If you are unsure what this term means or do not currently use a decisionmaking framework, please contact your Boards and Regulations Advisor.)
- Avoiding the trap of “this is how we have always done it.” Is it necessary? Does it prevent a likely harm? If so, is it reasonable? If not, why require it?
- Ensuring you don’t have requirements that are not actionable, e.g., don’t request criminal background information if you may not take action based on that information.
- Maintaining arbitrary standards and timeframes that are not based on research, proven national standards, or other objective criteria.
- Thinking that a “may” in statute means a “shall”: Just because you have the authority to adopt a regulation doesn’t mean you have to.
- Digging into changes you have always wanted to make—or addressing changes that stakeholders have requested—but the board hasn’t had time to address.
- Updating to modern standards—don’t miss references to fax machines, unnecessarily notarizing documents, defunct organizations, etc.
- Looking for alternative pathways to accomplish similar goals, including attestations instead of submitting documents where that makes sense, identifying steps that can be eliminated because another agency has already checked the information, etc.

Prepare to defend what can’t change:

- Identify baseline public safety standards that can’t be lowered and include a rationale for why they are important.
- Identify statutory or federal requirements that are inflexible. Per the *Drafting Manual for Administrative Regulations*, eliminate repetition of those requirements in regulation unless they provide clarity or are advised by your attorney.

Conclusion

This Administrative Order is ambitious, but it is reachable with organization and intention. Every member will need to set aside additional time to engage with the process. Communicate concerns with your lead staff, who can work with your Agency Regulatory Liaison to answer questions and find solutions.

Regulation Citation	Nature of the Regulation	Summary of the Intended Changes	Proposed Regulatory Reduction	Percentage or Regulatory Reduction	Date of Anticipated Reduction	83 - 15% 2026	138 -25% 2027
<i>Cite the regulation you intend to change. Can also be a section of related regulations.</i>	<i>Briefly describe what the regulation currently does.</i>	<i>Briefly describe what you plan to change to achieve reduction, transparency, ease of government interaction, other reforms.</i>	<i>List the number of reductions from your baseline that you plan to achieve with this change.</i>	<i>State the percentage of anticipated reduction from your original baseline. This may be achieved using a simple Excel formula.</i>	<i>State whether you anticipate this reduction will be achieved in 2026 or 2027.</i>		
09.002(a)	License requirements statement - not needed	Remove the extra language that isn't necessary for licensing		1	2026		
09.002(b)(1)	Barber, non-chem by exam	Remove notary requirement		1	2026		
09.002(b)(2)	Documentation Required for proof of training	Remove original or certified copies		1	2026		
09.002(b)(2)(A)	Training documents for exam applicants	Remove "Student Monthly Records" & replace with Verification of Training		0	2027		
09.002(b)(2)(B)	Other states verification of training documents	Remove the state seal requirement		1	2026		
09.002(b)(2)(C)	Completion of training docs for apprentice	Remove "Student Monthly Records" & replace with Verification of Training		0	2027		
09.002(b)(2)(D)	Other states verification of training documents	Remove the state seal requirement		1	2026		
09.002(c)(1)	licensing requirements for hairdresser by exam	Remove the notary requirement		1	2026		
09.002(c)(2)	Documentation Required for proof of training	Remove original or certified copies		1	2026		
09.002(c)(2)(A)	Training documents for exam applicants	Remove "Student Monthly Records" & replace with Verification of Training		0	2027		
09.002(c)(2)(B)	Training documents for exam applicants	Remove "Student Monthly Records" & replace with Verification of Training		0	2027		
09.002(c)(C)	Other states verification of training documents	Remove the state seal requirement		1	2026		
09.002(c)(D)	Other states verification of training documents	Remove the state seal requirement		1	2026		
09.002(d)(1)	Licensing requirements for esthetics by exam	Remove notary requirement		1	2026		
09.002(d)(2)	Documentation Required for proof of training	Remove original or certified copies		1	2026		
09.002(d)(2)(A)	Training documents for exam applicants	Remove "Student Monthly Records" & replace with Verification of Training		0	2027		
09.002(d)(2)(B)	Other states verification of training documents	Remove the state seal requirement		1	2026		
09.002(d)(2)(C)	Training documents for exam applicants	Remove "Student Monthly Records" & replace with Verification of Training		0	2027		
09.002(d)(2)(D)	Other states verification of training documents	Remove the state seal requirement		1	2026		

09.002(e)(1)	licensing requirements for barber, nonchem, hair by waiver	Remove the notary requirement	1	2026
09.002(e)(2)	Other states verification of training documents	Remove the state seal requirement	1	2026
09.002(f)(1)	licensing requirements for esthetics by waiver	Remove the notary requirement	1	2026
09.002(f)(2)	Other states verification of training documents	Remove the state seal requirement	1	2026
09.002(i)(1)	licensing requirements for instructor by exam	Remove the notary requirement	1	2026
09.002(j)(1)	licensing requirements for instructor by waiver	Remove the notary requirement	1	2026
09.002(j)(3)	Other states verification of training documents	Remove the state seal requirement	1	2026
09.002(m)(1)	licensing requirements for adv mani by exam	Remove the notary requirement	1	2026
09.002(m)(2)	Documentation Required for proof of training	Remove "Student Monthly Records" & replace with Verification of Training	0	2027
09.002(m)(2)(B)	Other states verification of training documents	Remove the state seal requirement	1	2026
09.002(n)(1)	licensing requirements for adv mani by waiver	Remove the notary requirement	1	2026
09.002(n)(2)	Other states verification of training documents	Remove the state seal requirement	1	2026
09.002(o)(1)	licensing requirements for body piercing by exam	Remove the notary requirement	1	2026
09.002(p)(1)	licensing requirements for body piercing by waiver	Remove the notary requirement	1	2026
09.002(p)(2)	Other states verification of training documents	Remove the state seal requirement	1	2026
09.002(q)(1)	licensing requirements for tattoo/pcc by exam	Remove the notary requirement	1	2026
09.002(r)(1)	licensing requirements for tattoo/pcc by waiver	Remove the notary requirement	1	2026
09.002(r)(2)	Other states verification of training documents	Remove the state seal requirement	1	2026
09.002(s)(1)	licensing requirements for courtesty tatt/pcc/pierce	Remove the notary requirement	1	2026
09.002(v)(1)	licensing requirements for hair braider	Remove the notary requirement	1	2026
09.002(v)(2)(B)	Verification of license	Remove the requirement it comes directly from the state	1	2026
09.002(w)(1)	licensing requirements for manicurist	Remove the notary requirement	1	2026
09.002(w)(2)(B)	Verification of license	Remove the requirement it comes directly from the state	1	2026

	Exam Requirements for 9.005 licensure	Remove Entirely - This is outdated. 09.002 already covers BY EXAM requirements and Prov handles all exam rules.	6	2026
	9.020 Identification of Applicant	Remove Entirely - This is outdated and Prov handles all identity verification for exam takers	3	2026
	9.025 Conduct for Examinations	Remove Entirely - This is outdated and Prov handles all exam rules	3	2026
	9.056 Barber & Non-Chem Exams	Remove Foreign Language interpreters are not allowed in exam room. Prov handles all exam rules	1	2026
	9.060 Hairdresser exam	Remove Foreign Language interpreters are not allowed in exam room. Prov handles all exam rules	1	2026
	9.062 Estheticans Exam	Remove Foreign Language interpreters are not allowed in exam room. Prov handles all exam rules	1	2026
	9.066 Adv Mani Exam	Remove Foreign Language interpreters are not allowed in exam room. Prov handles all exam rules	1	2026
	9.068 Body Pierce, Tattoo, PCC Exam	Remove Foreign Language interpreters are not allowed in exam room. Prov handles all exam rules	1	2026
9.075(b)	9.070 Instructor Exam	Remove Foreign Language interpreters are not allowed in exam room. Prov handles all exam rules	1	2026
	Reexamination	Remove, not necessary	1	2026
	9.082 Body Piercing by Exam	Replace 09.005 w/ 09.002(o)	0	2026
	9.086 Tattoo or PCC by Exam	Replace 09.005 w/ 09.002(q)	0	2026
	Barber, Non Chem, Hairdresser			
	9.090 by Exam	Replace 09.005 w/ 09.002(b),(c)	0	2026
	9.100 Esthetician by Exam	Replace 09.005 w/ 09.002(d)	0	2026
	9.106 Instructor by Exam	Replace 09.005 w/ 09.002(i)	0	2026
	9.108 Adv Mani by Exam	Replace 09.005 w/ 09.002(m)	0	2026
	9.115 Verifications	Remove Entirely - Barrier to licensure, not required by statute, not health/safety	6	2026

Citation

Devise method of periodically reviewing stats and regs
Review statutes and regs to eliminate other outdated language (i.e. send only by fax)

Improve application training (develop videos, other aids)
Review tattoo training requirements and how they align with existing forms

Update tattoo exam
Update Fine Schedule/Matrix

AS 08.13.160: Add “A person licensed under this chapter to practice barbering or nonchemical barbering is considered to be licensed to practice hair braiding under the same license.”

AS 08.13.080: Add hair braiding to barbering and non-chemical barbering (practice and teaching)

AS 08.13.130: Add “current Alaska license”

AS 08.13.183: Remove – no reason to have this.

AS 08.13.220(10): Remove (B)(i).

AS 08.13.220(16): Remove “microneedling” from definition of tattooing
Create a tiered esthetician license; Review any additional Medical Spa-related needs/changes

AS 08.13.080: Remove ALL license requirements from this section and add regulation reference. Remove (d). (Eliminate specifics from statute and move to regs)

AS 08.13.082: Allow for apprenticeship hours and other specifications of apprenticeships to be in regulations rather than statute so they can be regulated more responsive to industry.

AS 08.13.082: Include apprenticeship for advanced manicuring.

AS 08.13.082: Remove ALL training requirements from this section and add regulation reference. Including removal of training timeline.

AS 08.13.120: Update this section, cleaning up language that is confusing, outdated, and contradictory for temporary licenses, temporary shop licenses, and the allowance of conventions.

Rationale/Notes

Administrative/non-policy review and clean-up; likely to happen along with other regulatory reviews or as a fine-tune after policy changes are made

Form requires “remaining hours” to be in a certain category (theory/practical)—change form or S&R

Discussed in August and is on November agenda

Board started to work on this in August. May require a regulations project. On November agenda--again.

Regulation needs to be updated 12 AAC 09.1AS 08 and 12 AAC 09.109

Massage of hands, feet, legs is a major part of mani/pedi services. If not intended to be part of the service, all manicurists in AK should be fined for providing this service, or the board may need to send a mass notification stating NO massage of ANY type may be provided. Board might be able to define this in regulation.

Legislative error

Based on Medical Spa Services Work Group discussion and recommendation

Subsection (d) limits testing for body arts and may block the board from adopting NIC Tattooing and PCC theory written exams.

Schools can complete under 3 months, why not apprenticeship? Estheticians in school OR apprenticeship should have same timeline to complete.

Dept of Law letter reinforcing concerns about this section. Conventions have changed. Board previously drafted legislative changes, lots of discussion.

Priority Level & Explanation

1

3

2 or 3

3

In progress

In progress

1 “no brainer”

1 “no brainer”

1 “no brainer”

1 “no brainer”

1 “no brainer”

1 “no brainer”

1

2

2

2

2

2

AS 08.13.160(d)(2): Update with specific definition of “licensed health care professional.” Many massage therapists are stating they are “health care professionals” so they should be allowed to provide services regulated by BAH board. Can this be defined in regulation?

2

AS 08.13.180: Correct “student permit” to reflect Apprentice for beauty services and Trainee for body arts. These are all referenced in regulation as Student, Apprentice, and Trainee—they should match.

3

Allow hot tools to be used by unlicensed personnel Former member Tenaya Miramontes drafted legislation to accomplish this.

4

Board review and issue of licenses
Add regulation to request removal of a board member if they miss a certain number of meetings/unexcused absences Will help keep board filled with participating members. Without this, the governor’s office is unlikely to remove due to nonparticipation.

In progress

2

12 AAC 09.020: Remove This was needed when the division/board administered examinations (practical and written). Prov does not have these requirements.

1 “no brainer”

12 AAC 09.025: Remove This was needed when the division/board administered examinations (practical and written). Prov does not have these requirements.

1 “no brainer”

12 AAC 09.106: Need to add Non-Chemical Barber.

1 “no brainer”

12 AAC 09.127: Remove

This was only created by the board 15+ years ago to accommodate UAF – Tanana Valley Campus. This facility was open maybe 12-months then closed due to not having “clients” for students to work on practical operations.

1 “no brainer”

12 AAC 09.162(3) remove “sanex strips”

1 “no brainer”

12 AAC 09.162(11) Update to reflect changes with the definition of “appliances” NEW reg

1 “no brainer”

12 AAC 09.990(b)(1)

12 AAC 09.130: remove (c), (e), and (f) OR completely revamp subsections to reflect submission of training docs by student(s) and remove all timeline requirements.

The board does not enforce training documentation submissions. This has been demonstrated numerous times via case referrals to Inv Unit. Possibly group together with other license types to streamline.

2 “no brainer”

12 AAC 09.185: Remove (e), (g), (h) OR completely revamp subsections to reflect the submission of training docs by trainee(s) and remove all timeline requirements.

The board does not enforce training documentation submissions. This has been demonstrated numerous times via case referrals to Inv Unit. Possibly group together with other license types to streamline.

2 “no brainer”

12 AAC 09.190: Remove (i), (j), (k) OR completely revamp subsections to reflect submission of training docs by apprentice(s) and remove timeline requirements.

The board does not enforce training documentation submissions. This has been demonstrated numerous times via case referrals to Inv Unit. Possibly group together with other license types to streamline.

2 “no brainer”

12 AAC 09.002: Remove.

This is an incredibly cumbersome regulation that just keeps getting larger and larger – currently 3 pages. Why is this needed? Can it be streamlined or even removed since all subsections referenced have separate regulations. This may have been introduced as the mechanism for staff approval of applications in lieu of a board vote.

2

12 AAC 09.112: add subsection which clearly addresses multiple event locations; rewrite section to be clearer

Multiple event locations currently require separate temporary shop owner licenses (one license will not cover multiple events/event locations)

2

12 AAC 09.125 (l) Remove square footage requirements for 12-hour course since it is book-only and doesn’t require physical operations.

Work with Department of Environmental Conservation to update the inspection standards in 18 AAC 23.240.

Standards are outdated. Since DEC is no longer performing these statutorily-required inspections for most regulated industries, the board has considered how to take them on, possibly move to division, make them easier, address rural needs/strategies. Body art regulations are outdated and revisions were submitted in 2020 with no response from DEC. Public health risk.

3

12 AAC 09.990(7): Edit for clarity.

Could be reworded to better reflect that a nail technician in another state is considered to have training that qualifies them as a manicurist in Alaska. Maybe move this to the licensing requirements section?

4: combine with other nail tech topics

12 AAC 09.004: Remove (e) and (f)

Since it was created, no courtesy hairdresser license has been issued.

4: Not hurting to keep it in

Examine tattoo school requirements

? – Talk to Kevin for more details

Body Art Courtesy License(s) for Alaska Shops

Cover absences, fill in at permanent Alaska shops for short term vacancies

? – Talk to Kevin for more details

Require that tattooists are licensed for more than one year before taking on an apprentice, possible instructor license changes

?--Needs more discussion

AS 08.13.130: Recommend the Legislature pass legislation to raise the hour requirement for manicurists from 12 hours to 250 hours of training, plus passage of a written examination, to be eligible for licensure with allowance for grandfathering.

This has a dramatic legislative history that should be discussed. A related item on the “wish list,” below is clarifying that the 12-hour license is for “natural nails,” which appears to likely have been the original legislative intent based on the curriculum requirements. It is possible that could be accomplished in regulation. However, the board has allowed more advanced procedures for so long that this would have a detrimental, cascading impact on businesses and meet with a lot of pushback—especially since there is a lack of evidence that this is a public safety concern.

?--Needs more discussion

Consider removal of board approval of CPR and BBP courses:

•12 AAC The board hasn't approved courses in the last many years.

1 "no brainer"

09.002(o), (p), (q), (r), (s), (t)

- 12 AAC 09.004(5)
- 12 AAC 09.082(2)
- 12 AAC 09.084(3)
- 12 AAC 09.086(c)
- 12 AAC 09.088(3)
- 12 AAC 09.167(d)
- 12 AAC 09.168(d)
- 12 AAC 09.169(d)
- 12 AAC 09.930(c)

What strategic goal does this meet?

Board Development
Board Development

Education and Outreach
Education and Outreach

Education and Outreach
Enforcement

Legislation

Legislation

Legislation
Legislation

Legislation

Legislation
Legislation

Legislation

Legislation

Legislation
Legislation

Legislation

Legislation

Legislation

Legislation

Legislation
Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

Regulations

**CHAPTER 09.
BOARD OF BARBERS AND HAIRDRESSERS.**

Article

1. Examination Applications and Standards (12 AAC 09.002 – 12 AAC 09.038)
2. (Repealed)
3. Examinations (12 AAC 09.050 – 12 AAC 09.075)
4. Licensing Requirements (12 AAC 09.080 – 12 AAC 09.115)
5. Schools and Curriculum (12 AAC 09.120 – 12 AAC 09.175)
6. Student Permits, Training, and Apprentices (12 AAC 09.180 – 12 AAC 09.190)
7. General Provisions (12 AAC 09.900 – 12 AAC 09.990)

**ARTICLE 1.
EXAMINATION APPLICATIONS AND STANDARDS.**

Section

02. Review of license applications
03. (Repealed)
04. Courtesy license
05. Examination requirements for licensure
06. (Repealed)
10. (Repealed)
15. (Repealed)
20. Identification of applicant
25. Conduct for examinations
30. (Repealed)
35. (Repealed)
38. (Repealed)

Over 100 requirements in 09.002

12 AAC 09.002. REVIEW OF LICENSE APPLICATIONS. (a) An applicant who meets the requirements on the relevant checklist set out in this section has demonstrated the necessary qualifications for the license or permit applied for. ~~An applicant who does not meet the requirements on that checklist or whose application documents do not clearly show that the applicant is qualified to receive a license or permit will not be issued a license or permit unless the board further reviews the application and determines that the applicant meets the qualifications in AS 08.13 and this chapter for that license or permit.~~

(b) The following checklist is established by the board for review of an application for a barber or non-chemical barber license by examination. A barber or non-chemical barber license will be issued to an applicant who

- (1) submits a completed, ~~notarized form~~ for application under this chapter that includes the
 - (A) applicant's name and address; and
 - (B) for each school or apprenticeship where the applicant was trained, the name and address of the school or apprenticeship, the dates of the training, and the number of hours of training completed;
- (2) submits ~~original or certified true copies of~~
 - (A) ~~student monthly records~~ verifying that the applicant has successfully completed in a school approved by the board
 - (i) 1,650 hours of training for a barber license; or
 - (ii) 1,350 hours of training for a non-chemical barber license;
 - (B) certification from another state's licensing agency, ~~bearing the seal of that state~~, that the applicant has successfully completed in a school approved by that state's licensing agency
 - (i) 1,650 hours of training that included the minimum number of practical operations set out in 12 AAC 09.160 for a barber license; or
 - (ii) 1,350 hours of training that included the minimum number of practical operations set out in 12 AAC 09.161 for a non-chemical barber license;
 - (C) ~~student monthly records~~ verifying that the applicant has successfully completed in an apprenticeship program approved by the board
 - (i) 2,000 hours of training for a barber license; or
 - (ii) 1,600 hours of training for a non-chemical barber license;
 - (D) certification from another state's licensing agency, ~~bearing the seal of that state~~, that the applicant has successfully completed in an apprenticeship program approved by that state's licensing agency
 - (i) 2,000 hours of training that included the minimum number of practical operations set out in 12 AAC 09.160 for a barber license; or
 - (ii) 1,600 hours of training that included the minimum number of practical operations set out in 12 AAC 09.161 for a non-chemical barber license; or

- (E) a combination of the records required in this paragraph that verify the equivalent of 2,000 apprenticeship hours or 1,650 hours of course work for a barber license, or 1,600 apprenticeship hours or 1,350 hours of course work for a non-chemical barber license, when evaluated using the criteria in 12 AAC 09.090(c);
- (3) pays the application fee established in 12 AAC 02.140;
 - (4) repealed 11/23/2023;
 - (5) passes the written examination described in 12 AAC 09.056; and
 - (6) repealed 12/6/2020;
 - (7) pays the initial biennial license fee in 12 AAC 02.140.
- (c) The following checklist is established by the board for review of an application for a hairdresser license by examination. A hairdresser license will be issued to an applicant who
- (1) submits the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) submits ~~original or certified true copies of~~
 - (A) ~~student monthly records~~ verifying that the applicant has successfully completed 1,650 hours of training for a hairdresser license in a school approved by the board;
 - (B) ~~student monthly records~~ verifying that the applicant has successfully completed 2,000 hours of training for a hairdresser license in an apprenticeship program approved by the board;
 - (C) a certification from another state's licensing agency, ~~bearing the seal of the state~~, that the applicant has successfully completed, in a school approved by that state's licensing agency, 1,650 hours of training for a hairdresser license that includes the number of practical operations set out in 12 AAC 09.160; or
 - (D) a certification from another state's licensing agency, ~~bearing the seal of that state~~, that the applicant has successfully completed, in an apprenticeship program approved by that state's licensing agency, 2,000 hours of training for a hairdresser license that includes the number of practical operations set out in 12 AAC 09.160; and
 - (3) passes the written examination described in 12 AAC 09.060.
- (d) The following checklist is established by the board for review of an application for an esthetics license by examination. An esthetics license will be issued to an applicant who
- (1) submits the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) submits ~~original or certified true copies of~~
 - (A) ~~student monthly records~~ verifying that the applicant has successfully completed 350 hours of training in a school approved by the board;
 - (B) a certification from another state's licensing agency, ~~bearing the seal of that state~~, that the applicant has successfully completed 350 hours of training, including the minimum number of practical operations set out in 12 AAC 09.163, in a school approved by that state's licensing agency;
 - (C) ~~student monthly records~~ verifying that the applicant has successfully completed 350 hours of training in an apprenticeship program approved by the board; or
 - (D) a certification from another state's licensing agency, ~~bearing the seal of that state~~, that the applicant has successfully completed 350 hours of training, including the minimum number of practical operations set out in 12 AAC 09.163, in an apprenticeship program approved by that state's licensing agency; and
 - (3) passes the written examination described in 12 AAC 09.065;
 - (4) repealed 12/6/2020.
- (e) The following checklist is established by the board for review of an application for a barber, non-chemical barber, or hairdresser license by waiver of examination. A barber, non-chemical barber, or hairdresser license will be issued to an applicant who submits
- (1) the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) a verification form completed by another state's licensing agency, ~~bearing the seal of that state~~, showing that the applicant
 - (A) holds a current license to practice barbering, non-chemical barbering, or hairdressing in that state; and
 - (B) qualified for licensure by passing a written examination;
 - (3) verification of training and work experience that meets the requirements in 12 AAC 09.095(a)(3), (b)(3), or
- (c).
- (f) The following checklist is established by the board for review of an application for an esthetics license by waiver of examination. An esthetics license will be issued to an applicant who submits
- (1) the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) a verification form completed by another state's licensing agency, ~~bearing the seal of that state~~, showing that the applicant
 - (A) holds a current license to practice as an esthetician in that state; and
 - (B) qualified for licensure as an esthetician by passing a written examination;
 - (3) verification of training that meets the requirements in 12 AAC 09.100.
- (g) The following checklist is established by the board for review of an application for a student permit while attending a licensed school of barbering, hairdressing, or esthetics. A student permit for an applicant attending an approved school will be issued to an applicant who submits
- (1) a completed form for application under this chapter;
 - (2) repealed 3/30/2019;
 - (3) the permit fee established in 12 AAC 02.140; and
 - (4) proof of enrollment in a licensed school of barbering, hairdressing, or esthetics.

- (h) The following checklist is established by the board for review of an application for a student instructor permit. A student instructor permit will be issued to an applicant who submits
- (1) a completed form for application under this chapter;
 - (2) repealed 3/30/2019;
 - (3) the permit fee established in 12 AAC 02.140; and
 - (4) verification of one year of practice as a barber, hairdresser, manicurist, or esthetician that meets the requirements in 12 AAC 09.115.
- (i) The following checklist is established by the board for review of an application for an instructor license by examination. An instructor license will be issued to an applicant who
- (1) submits the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) submits verification of a current license to practice as a barber, hairdresser, manicurist, or esthetician in this state;
 - (3) submits verification of at least
 - (A) three years of practice as a licensed barber, hairdresser, esthetician, or manicurist in this state or another jurisdiction; or
 - (B) one year of practice as a licensed barber, hairdresser, esthetician, or manicurist in this state or another jurisdiction followed by 600 hours of student instructor training in a school approved by the board or another licensing jurisdiction; and
 - (4) passes the written examination described in 12 AAC 09.070; and
 - (5) repealed 12/6/2020.
- (j) The following checklist is established by the board for review of an application for an instructor license by waiver of examination. An instructor license will be issued to an applicant
- (1) who submits the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section; and
 - (2) repealed 11/23/2023;
 - (3) whose application includes a verification form completed by another state's licensing agency, ~~bearing the seal of that state~~, showing that the applicant
 - (A) holds a current license to practice as an instructor in that state; and
 - (B) qualified for licensure as an instructor by passing a written examination.
- (k) The following checklist is established by the board for review of an application for a shop owner license. A shop owner license will be issued to an applicant who meets the requirements in 12 AAC 09.110(a).
- (l) Repealed 6/8/2016.
- (m) The following checklist is established by the board for review of an application for an advanced manicurist endorsement by examination. An advanced manicurist endorsement will be issued to an applicant who
- (1) submits a completed, notarized form for application under this chapter that includes
 - (A) the applicant's name and address; and
 - (B) for each school where the applicant was trained, the name and address of the school, the dates of the training, and the number of hours of training completed;
 - (2) submits ~~original or certified true copies of~~
 - (A) ~~student records~~ verifying that the applicant has successfully completed 250 hours of training in a school approved by the board or the Alaska Commission on Postsecondary Education;
 - (B) a certification from another state's licensing agency, ~~bearing the seal of that state~~, that the applicant has successfully completed 250 hours of training; or
 - (C) repealed 6/21/2018;
 - (3) pays the application fee established in 12 AAC 02.140;
 - (4) repealed 11/23/2023;
 - (5) submits verification of passing the written examination described in 12 AAC 09.066; and
 - (6) pays the initial biennial license fee in 12 AAC 02.140.
- (n) The following checklist is established by the board for review of an application for an advanced manicurist endorsement by waiver of examination. An advanced manicurist endorsement will be issued to an applicant who submits
- (1) the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) a verification form completed by another state's licensing agency, ~~bearing the seal of that state~~, showing that the applicant
 - (A) holds a current license to practice as a manicurist in that state; and
 - (B) qualified for licensure as a manicurist by passing a written examination; and
 - (3) verification of training that meets the requirements in 12 AAC 09.148.
- (o) The following checklist is established by the board for review of an application for a license by examination to practice body piercing. A license to practice body piercing will be issued to an applicant who
- (1) submits the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) **submits a certification, on a form provided by the department**, from the applicant's trainer certifying that the applicant successfully completed the training requirements of AS 08.13.082(d) and either 12 AAC 09.167(a) - (c) or 12 AAC 09.167(e);
 - (3) submits copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in
 - (A) cardiopulmonary resuscitation (CPR); and

- (B) blood borne pathogens; and
- (4) passes the written examination described in 12 AAC 09.068.
- (p) The following checklist is established by the board for review of an application for a license by waiver of examination to practice body piercing. A license to practice body piercing will be issued to an applicant who submits
 - (1) the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) a verification form completed by another state's licensing agency, ~~bearing the seal of that state~~, showing that the applicant
 - (A) holds a current license to practice body piercing in that state; and
 - (B) qualified for licensure to practice body piercing in that state by passing a written examination;
 - (3) copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in
 - (A) cardiopulmonary resuscitation (CPR); and
 - (B) blood borne pathogens; and
 - (4) verification of training equivalent to that described in AS 08.13.082(d) and 12 AAC 09.167(a) – (c).
- (q) The following checklist is established by the board for review of an application for a license by examination to practice tattooing or permanent cosmetic coloring. A license to practice tattooing or permanent cosmetic coloring will be issued to an applicant who
 - (1) submits the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) submits a certification, on a form provided by the department, from the applicant's trainer certifying that the applicant successfully completed the training requirements of AS 08.13.082(d) and
 - (A) either 12 AAC 09.169(a) – (c) or 12 AAC 09.169(e), if applying for a tattooing license; or
 - (B) either 12 AAC 09.168(a) – (c) or 12 AAC 08.168(e), if applying for a permanent cosmetic coloring license.
 - (3) submits copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in
 - (A) cardiopulmonary resuscitation (CPR); and
 - (B) blood borne pathogens; and
 - (4) passes the written examination described in 12 AAC 09.068.
- (r) The following checklist is established by the board for review of an application for a license by waiver of examination to practice tattooing or permanent cosmetic coloring. A license to practice tattooing or permanent cosmetic coloring will be issued to an applicant who submits
 - (1) the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section;
 - (2) a verification form completed by another state's licensing agency, ~~bearing the seal of that state~~, showing that the applicant
 - (A) holds a current license to practice tattooing or permanent cosmetic coloring in that state; and
 - (B) qualified for licensure to practice tattooing or permanent cosmetic coloring in that state by passing a written examination;
 - (3) submits copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in
 - (A) cardiopulmonary resuscitation (CPR); and
 - (B) blood borne pathogens; and
 - (4) verification of training equivalent to that described in AS 08.13.082(d) and
 - (A) 12 AAC 09.169(a) – (c), if applying for a tattooing license; or
 - (B) 12 AAC 09.168(a) – (c), if applying for a permanent cosmetic coloring license.
- (s) The following checklist is established by the board for review of an application for a courtesy license to practice body piercing, tattooing, or permanent cosmetic coloring. A courtesy license to practice body piercing, tattooing, or permanent cosmetic coloring will be issued to an applicant who meets the requirements of AS 08.01.062(a) and who, not fewer than 90 days before the applicant plans to begin practicing, submits
 - (1) a complete, ~~notarized~~ application on a form provided by the department;
 - (2) the applicable fees established in 12 AAC 02.140;
 - (3) verification of practicing body piercing, tattooing, or permanent cosmetic coloring for a fee, for at least 12 of the 24 consecutive months immediately preceding the date of application; the proof must include one of the following or a combination of the following:
 - (A) at least two sworn affidavits from students or employees verifying the applicant's experience;
 - (B) at least one copy per month of a client release form for at least 12 of the 24 consecutive months immediately preceding the date of application;
 - (4) a statement signed by the applicant's sponsor verifying that the sponsor is a practitioner of body piercing, tattooing, or permanent cosmetic coloring who holds a permanent license in this state and will sponsor the applicant; and
 - (5) copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in
 - (A) cardiopulmonary resuscitation (CPR);
 - (B) and blood borne pathogens.

(t) The following checklist is established by the board for review of an application for a student permit for an applicant to obtain training for hairdressing, barbering, or esthetics by a licensed instructor in an apprenticeship program in a licensed shop. A student permit to obtain training in hairdressing, barbering, or esthetics by a licensed instructor in a licensed shop will be issued to an applicant who submits

- (1) a completed application on a form provided by the department;
- (2) the student permit fee established in 12 AAC 02.140; and
- (2) a completed statement of responsibility form from the licensed instructor who will provide the training.

(u) The following checklist is established by the board for review of an application for a student permit for an applicant to obtain training for body piercing, tattooing, or permanent cosmetic coloring by a licensed practitioner in an apprenticeship program in a licensed shop. A student permit to obtain training for body piercing, tattooing, or permanent cosmetic coloring by a licensed practitioner in a licensed shop will be issued to an applicant who submits

- (1) a completed application on a form provided by the department;
- (2) the student permit fee established in 12 AAC 02.140;
- (3) a completed statement of responsibility form from the licensed practitioner

who will provide the training;

(4) copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in

- (A) cardiopulmonary resuscitation (CPR);
- (B) blood borne pathogens; and

(5) a copy of the current certificate of sanitary standards issued under 18 AAC 23.310 to the shop in which the training will take place.

(v) The following checklist is established by the board for review of an application for a hair braiding license. A license to practice hair braiding will be issued to an applicant who submits

- (1) the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section; and
- (2) verification of

(A) completion of instruction as required by 12 AAC 09.164 on a form provided by the department; or

(B) current license to practice as a hair braider in another state with requirements equal to those in this state at the time of licensure, ~~sent directly to this state from the verifying state's licensing agency in accordance with 12 AAC 09.115.~~

(w) The following checklist is established by the board for review of an application for a manicurist license. A manicurist license will be issued to an applicant who submits

- (1) the documents and fees required by ~~(b)(1)~~, (3), and (7) of this section; and
- (2) verification of

(A) training that meets the requirements in 12 AAC 09.143; or

(B) a current license to practice manicuring in another state with requirements equal to those in this state at the time of licensure, ~~sent directly to this state from the verifying state's licensing agency in accordance with 12 AAC 09.115.~~

Authority:	AS 08.01.062	AS 08.13.080	AS 08.13.120
	AS 08.13.030	AS 08.13.090	AS 08.13.180
	AS 08.13.070	AS 08.13.100	

12 AAC 09.003. TRANSITIONAL LICENSURE. Repealed 6/8/2016.

12 AAC 09.004. COURTESY LICENSE. (a) A courtesy license authorizes the licensee to practice body piercing, tattooing, or permanent cosmetic coloring as a guest practitioner in a shop licensed by the board. An applicant for licensure under this section must have a sponsor who holds a permanent license in this state in the same practice area for which the license is requested.

(b) The board will issue a courtesy license to an applicant who meets the requirements of AS 08.01.062(a) and who, not fewer than 90 days before the applicant plans to begin working, submits

(1) a completed application on a form provided by the department; a completed application must specify the dates for which the license is requested, the type of license requested, and the identity of the applicant's sponsor;

(2) the applicable fees established in 12 AAC 02.140;

(3) verification of practicing body piercing, tattooing, or permanent cosmetic coloring for a fee, for at least 12 of the 24 consecutive months immediately preceding the date of application; the proof must include one of the following or a combination of the following:

(A) at least two sworn affidavits from students or employees verifying the applicant's experience;

(B) at least one copy per month of a client release form for at least 12 of the 24 consecutive months immediately preceding the date of application;

(C) other information acceptable to the board;

(4) a statement signed by the applicant's sponsor verifying that the sponsor is a practitioner of body piercing or practitioner of tattooing and permanent cosmetic coloring who holds a permanent license in this state and will sponsor the applicant; and

(5) verification that the applicant successfully completed training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization approved by the board, and has been issued a current card, in

- (A) cardiopulmonary resuscitation (CPR); and
- (B) blood borne pathogens.

(c) A courtesy license to practice body piercing, tattooing, or permanent cosmetic coloring is valid for 30 consecutive days. A person may not be issued more than two courtesy licenses in a calendar year.

(d) The period during which a courtesy license is valid may not be counted towards the training requirements of 12 AAC 09.167 or 12 AAC 09.169.

(e) The board will issue a courtesy license to an applicant to practice hairdressing as a hairdresser for the purpose of working on a television, film, or stage production who meets the requirements of this chapter and AS 08.01.062, and by submitting the following:

(1) a completed application on a form provided by the department; a completed application must specify the dates for which the license is requested, the type of license requested;

(2) payment of the applicable fees established in 12 AAC 02.140;

(3) verification of a current hairdressing license from another state or jurisdiction.

(f) A courtesy license to practice hairdressing is valid for the duration of the production, not to exceed 12 months. If the license is required for a period longer than 12 months, the licensee must apply for a new and separate license.

Authority: AS 08.01.062 AS 08.13.030 AS 08.13.070

~~12 AAC 09.005. EXAMINATION REQUIREMENTS FOR LICENSURE. (a) An applicant applying for licensure by examination as a barber, non-chemical barber, hairdresser, advanced manicurist, esthetician, practitioner of body piercing, practitioner of tattooing, practitioner of permanent cosmetic coloring, or instructor under this chapter shall~~

~~(1) submit a completed, notarized application for licensure by examination in the relevant practice area for which the license is requested to the division; the application must~~

~~(A) be on the form provided by the department; and~~

~~(B) include all verification documents necessary to meet the requirements of AS 08.13.080;~~

~~(2) complete the relevant written examination administered daily by Prov examination services following notification from the department of preauthorization for examination as an instructor, or as a practitioner for the profession of barbering, non-chemical barbering, hairdressing, esthetics, body piercing, tattooing, or permanent cosmetic coloring;~~

~~(3) follow the rules and procedures for examination set by Prov; and~~

~~(4) pay all applicable fees for the examination directly to Prov as applicable.~~

~~(b) A completed application for licensure under this section must be submitted before an applicant may be considered for examination eligibility.~~

~~(c) An applicant who is unable to appear for a scheduled examination may postpone the examination by notifying Prov in accordance with the Prov cancellation and rescheduling policy.~~

~~(d) An applicant who fails an examination or fails to appear for an examination without postponing the examination as set out in (c) of this section may reschedule for a future examination. To reschedule for a future examination, an applicant must contact Prov directly and adhere to the relevant policy and procedures set by Prov.~~

~~(e) An application is considered abandoned if the applicant does not take an examination as set out in this section within one year from the date of the applicant's initial application.~~

Authority: AS 08.13.030 AS 08.13.040 AS 08.13.080

Editor's note: Information on the relevant written examinations set out in this section may be obtained from the Prov website at <https://provexam.com> or by contacting Prov via e-mail at support@provexam.com.

12 AAC 09.006. TRANSITIONAL PROVISIONS FOR LICENSEES AND ENDORSEMENT HOLDERS. Repealed 6/21/2018.

12 AAC 09.010. EXAMINATION DATES. Repealed 11/23/2023.

12 AAC 09.015. REEXAMINATION. Repealed 9/30/87.

~~12 AAC 09.020. IDENTIFICATION OF APPLICANT. (a) The department or its designee at the examination site will assign each applicant for examination a number by which the applicant is identified during the examination.~~

~~(b) Except for the purpose of receiving an identification number as described in (a) of this section, an applicant may not reveal the applicant's identity to an examiner.~~

~~(c) An applicant may not make a reference orally or in writing to an examiner about any school or instructor of barbering, non-chemical barbering, hairdressing, manicuring, esthetics, body piercing, tattooing, or permanent cosmetic coloring, or present licenses held.~~

(d) Repealed 12/6/2020.

Authority: AS 08.13.030 AS 08.13.090

~~12 AAC 09.025. CONDUCT FOR EXAMINATIONS. (a) No applicant may leave the written examination site while the examination is being conducted without permission of an examiner.~~

~~(b) Any attempt by a school owner, instructor, or any person to communicate with or help an applicant in any way while taking the examination, or any attempt by an applicant to secure information from another applicant will disqualify the applicant from completing the examination.~~

~~(c) An applicant scheduled to take an examination who is not present at the official start of the examination will not be allowed to take that examination but will be rescheduled by the board.~~

Authority: AS 08.13.080 AS 08.13.090

12 AAC 09.030. STATION ASSIGNED AND EQUIPMENT. Repealed 12/6/2020.

12 AAC 09.035. MODELS. Repealed 12/6/2020.

12 AAC 09.038. COMPUTATION OF GRADES. Repealed 12/6/2020.

ARTICLE 2. BARBER EXAMINATION.

Repealed 2/28/88

ARTICLE 3. EXAMINATIONS.

Section

- 50. Proficiency examination
- 56. Content and grading criteria for barber and non-chemical barber examinations
- 60. Content and grading criteria for hairdresser examination
- 62. (Repealed)
- 65. Content and grading criteria for esthetician examination
- 66. Content and grading criteria for advanced manicurist endorsement
- 68. Body piercing, tattooing, and permanent cosmetic coloring examinations
- 70. Content and grading criteria for instructor examination
- 72. (Repealed)
- 75. Reexamination

12 AAC 09.050. PROFICIENCY EXAMINATION. (a) A student or apprentice in hairdressing, barbering, non-chemical barbering, or esthetics must pass a practical proficiency examination in the subjects described in (b) of this section, after the student or apprentice completes a course of study in a school or in an apprenticeship program.

(b) A student or apprentice must show proficiency in the following subject areas:

- (1) for hairdressing or barbering, all subjects required under 12 AAC 09.160(a);
- (2) for non-chemical barbering, all subjects required under 12 AAC 09.161(a); and
- (3) for esthetics, all subjects required under 12 AAC 09.163(a).

(c) Verification of passing the proficiency examination in the required subjects must be documented on the affidavit of completed training described in 12 AAC 09.130(f) for a student in a school, or 12 AAC 09.190(k) for an apprentice in an apprenticeship program.

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.056. CONTENT AND GRADING CRITERIA FOR BARBER AND NON-CHEMICAL BARBER EXAMINATIONS. (a) The examination for a barber license consists of the written examination entitled the *National Barber-Stylist Test*, sponsored by the National Interstate Council of State Boards of Cosmetology.

(b) The examination for a non-chemical barber license consists of the written examination entitled the *Barber-No Chemical Test*, sponsored by the National Interstate Council of State Boards of Cosmetology.

(c) A passing grade on the written examination is 75 percent or above.

~~(d) Foreign language interpreters are not allowed in the examination room.~~

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.060. CONTENT AND GRADING CRITERIA FOR HAIRDRESSER EXAMINATION. (a) The examination for a hairdresser license consists of the written examination entitled the *National Hair Design Test*, sponsored by the National Interstate Council of State Boards of Cosmetology.

(b) A passing grade on the written examination is 75 percent or above.

~~(c) Foreign language interpreters are not allowed in the examination room.~~

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.062. CONTENT AND GRADING CRITERIA FOR HAIRDRESSING EXAMINATION.
Repealed 2/28/88.

12 AAC 09.065. CONTENT AND GRADING CRITERIA FOR ESTHETICIAN EXAMINATION. (a) The examination for an esthetician consists of the written examination entitled the *National Esthetician Test*, sponsored by the National Interstate Council of State Boards of Cosmetology.

(b) A passing grade on the written examination is 75 percent or above.

~~(c) Foreign language interpreters are not allowed in the examination room.~~

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.066. CONTENT AND GRADING CRITERIA FOR ADVANCED MANICURIST ENDORSEMENT. (a) The examination for an endorsement as an advanced manicurist is the written examination entitled the *Nail Technology Examination*, sponsored by the National Interstate Council of State Boards of Cosmetology.

(b) A grade of 75 percent or higher on the examination listed in (a) of this section is a passing grade.

~~(c) Foreign language interpreters are not allowed in the examination room.~~

Authority: AS 08.13.030 AS 08.13.040 AS 08.13.090

12 AAC 09.068. BODY PIERCING, TATTOOING, AND PERMANENT COSMETIC COLORING EXAMINATIONS. (a) The written examination for a body piercing license is entitled the *Body Piercing Test*, sponsored by the National Interstate Council of State Boards of Cosmetology. The examination for a license to practice tattooing or permanent cosmetic coloring is a written examination prepared and administered by the board covering the subjects listed in AS 08.13.080(d)(2).

(b) A grade of 75 percent or higher on the examinations listed in (a) of this section is a passing grade.

~~(c) Foreign language interpreters are not allowed in the examination room.~~

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.090

12 AAC 09.070. CONTENT AND GRADING CRITERIA FOR INSTRUCTOR EXAMINATION. (a) The instructor examination consists of the written examination entitled the *National Teachers Test*, sponsored by the National Interstate Council of State Boards of Cosmetology.

(b) A passing grade on the written examination is 75 percent or above.

~~(c) Foreign language interpreters are not allowed in the examination room.~~

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.072. CONTENT AND GRADING CRITERIA FOR COSMETOLOGY INSTRUCTOR EXAMINATION. Repealed 5/20/88.

12 AAC 09.075. REEXAMINATION. (a) An applicant who fails the examination may be reexamined at a future examination.

~~(b) To be scheduled for reexamination, an applicant shall comply with 12 AAC 09.005(d) and (e) of this section, if applicable.~~

(c) An applicant who fails the written examination three or more times shall successfully complete remedial training before the applicant will be scheduled for reexamination. An applicant applying under this subsection to retake the written examination shall provide documentation to the board of successful completion of at least 50 hours of theoretical training in a school or apprenticeship program approved by the board, and shall hold a valid student permit during the training as required in AS 08.13.180.

(d) If the applicant does not retake the examination at least one time each year during the three years after the date the examination was first administered, the applicant's application will be considered abandoned and the applicant is required to reapply for the applicable examination under this chapter.

(e) In this section, "applicant" means an individual who has applied to take the examination for

- (1) licensure as a barber, non-chemical barber, hairdresser, esthetician, or instructor; or
- (2) endorsement as an advanced manicurist.

ARTICLE 4.
LICENSING REQUIREMENTS.

Section

- 80. (Repealed)
- 82. Body piercing license by examination
- 84. Body piercing license by waiver
- 85. (Repealed)
- 86. Tattooing or permanent cosmetic coloring license by examination
- 88. Tattooing or permanent cosmetic coloring license by waiver
- 90. Barber, non-chemical barber, or hairdresser license by examination
- 95. Barber, non-chemical barber, or hairdresser license by waiver
- 96. Hair braiding license requirements
- 97. Credit for hours of course work and training
- 100. Esthetician license by examination
- 105. Esthetician license by waiver
- 106. Instructor license requirements
- 107. Temporary permits
- 108. Advanced manicurist endorsement by examination
- 109. Advanced manicurist endorsement by waiver
- 110. Shop owner license
- 111. Mobile shops
- 112. Temporary shop license
- 115. Verifications

12 AAC 09.080. BARBER LICENSE BY EXAMINATION. Repealed 2/28/88.

12 AAC 09.082. BODY PIERCING LICENSE BY EXAMINATION. An application for a license by examination to practice body piercing must be submitted in accordance with 12 AAC 09.005. The application must include verification that the applicant has

- (1) successfully completed at least 1,000 hours of training that meets the requirements of AS 08.13.082(d) and 12 AAC 09.167(a) – (c);
- (2) successfully completed training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization ~~approved by the board~~, and has been issued a current card, in
 - (A) cardiopulmonary resuscitation (CPR); and
 - (B) blood borne pathogens; and
- (3) passed the written examination described in 12 AAC 09.068.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.070 AS 08.13.082

12 AAC 09.084. BODY PIERCING LICENSE BY WAIVER. An applicant for a license by waiver of examination to practice body piercing shall apply on a form provided by the department. The application must include

- (1) payment of the applicable fees established in 12 AAC 02.140;
- (2) verification that the applicant
 - (A) holds a current license to practice body piercing in another state; and
 - (B) is qualified for licensure to practice body piercing in that state by passing a written examination;
- (3) verification that the applicant has successfully completed training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization ~~approved by the board~~, and has been issued a current card, in
 - (A) cardiopulmonary resuscitation (CPR); and
 - (B) blood borne pathogens; and
- (4) verification that the applicant has completed training equivalent to that described in AS 08.13.082(d) and 12 AAC 09.167(a) – (c).

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.070 AS 08.13.082

12 AAC 09.085. BARBER LICENSE BY WAIVER. Repealed 2/28/88.

12 AAC 09.086. TATTOOING OR PERMANENT COSMETIC COLORING LICENSE BY EXAMINATION. (a) An application for a license by examination to practice tattooing must be submitted in accordance with 12 AAC 09.005. The application must include verification that the applicant has successfully completed at least 1,000 hours of training that meets the requirements of AS 08.13.082(d) and 12 AAC 09.169(a) – (c);

(b) An application for a license by examination to practice permanent cosmetic coloring must be submitted in accordance with 12 AAC 09.005. The application must include verification that the applicant has successfully completed at least 250 hours of training that meets the requirements of AS 08.13.082(d) and 12 AAC 09.168(a) – (c).

(c) In addition to meeting the requirements of (a) or (b) of this section, an applicant for a license to practice tattooing or a license to practice permanent coloring must provide verification that the applicant has successfully completed training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization ~~approved by the board~~, and has been issued a current card, in

- (1) cardiopulmonary resuscitation (CPR); and
- (2) blood borne pathogens.

(d) In addition to meeting the requirements of (a) or (b) of this section, an applicant for a license to practice tattooing or a license to practice permanent cosmetic coloring must have passed the written examination as described in 12 AAC 09.068.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.070 AS 08.13.082

12 AAC 09.088. TATTOOING OR PERMANENT COSMETIC COLORING LICENSE BY WAIVER. An applicant for a license by waiver of examination to practice tattooing or permanent cosmetic coloring shall apply on a form provided by the department. The application must include

- (1) payment of the applicable fees established in 12 AAC 02.140;
- (2) verification that the applicant

(A) holds a current license to practice tattooing or permanent cosmetic coloring in another state; and

(B) is qualified for licensure to practice tattooing or permanent cosmetic coloring in that state by passing a written examination;

(3) verification that the applicant has successfully completed training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization ~~approved by the board~~, and has been issued a current card, in

- (A) cardiopulmonary resuscitation (CPR); and
- (B) blood borne pathogens; and

(4) verification that the applicant has completed training equivalent to that described in AS 08.13.082(d) and 12 AAC 09.169(a) – (c).

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.070 AS 08.13.082

12 AAC 09.090. BARBER, NON-CHEMICAL BARBER, OR HAIRDRESSER LICENSE BY EXAMINATION. (a) An application for a barber or hairdresser license by examination must be submitted in accordance with 12 AAC 09.005, with verification of

- (1) 1,650 hours of course work in a school approved by the board or another licensing jurisdiction;
- (2) 2,000 hours of training in an apprenticeship program as required by AS 08.13.082; or
- (3) a combination of course work and apprenticeship approved by the board under (c) of this section or approved by another licensing jurisdiction.

(b) An application for a non-chemical barber license by examination must be submitted in accordance with 12 AAC 09.005, with verification of

- (1) 1,350 hours of course work in a school approved by the board or another licensing jurisdiction;
- (2) 1,600 hours of training in an apprenticeship program as required by AS 08.13.082 and 12 AAC 09.190; or
- (3) a combination of course work and apprenticeship approved by the board under (c) of this section or approved by another licensing jurisdiction.

(c) When evaluating a combination of course work and apprenticeship, the board may use the following criteria to determine equivalent hours of course work and apprenticeship:

- (1) one course work hour equals 1.212 of an apprenticeship hour; and
- (2) one apprenticeship hour equals .825 of a course work hour.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

12 AAC 09.095. BARBER, NON-CHEMICAL BARBER, OR HAIRDRESSER LICENSE BY WAIVER. (a) An applicant for a barber or hairdresser license by waiver of examination shall apply on a form provided by the department. The application must include

- (1) payment of the fees established in 12 AAC 02.140;
- (2) verification of a current license to practice barbering or hairdressing issued by another state;

- (3) verification of completed training and work experience equivalent to
 - (A) 1,650 hours of training in a school approved by the board or another licensing jurisdiction;
 - (B) 2,000 hours of an apprenticeship program approved by the board or by another licensing jurisdiction;
 - (C) at least one year of full-time work experience as a licensed barber or hairdresser, averaging no less than 32 hours per week, and a minimum of 1,500 hours of training in an approved school or an apprenticeship program approved by the board or by another licensing jurisdiction; or
 - (D) at least two years of full-time work experience as a licensed barber or hairdresser, averaging no less than 32 hours per week, and a minimum of 1,000 hours of training in an approved school or an apprenticeship program approved by the board or by another licensing jurisdiction; and
- (4) documents verifying that a state in which the applicant was licensed as a barber or hairdresser required the applicant to pass a written examination to qualify for licensure.
- (b) An applicant for a non-chemical barber license by waiver of examination shall apply on a form provided by the department. The application must include
 - (1) payment of fees the established in 12 AAC 02.140;
 - (2) verification of a current license to practice non-chemical barbering issued by another state;
 - (3) verification of completed training equivalent to
 - (A) 1,350 hours of training in a school approved by the board or another licensing jurisdiction;
 - (B) 1,600 hours of an apprenticeship program approved by the board or by another licensing jurisdiction;
 - (C) at least one full year of full-time work experience as a licensed non-chemical barber averaging no less than 32 hours per week, and a minimum of 1,200 hours of training in an approved school or an apprenticeship program approved by the board or by another licensing jurisdiction; or
 - (D) at least two years of full-time work experience as a licensed non-chemical barber averaging no less than 32 hours per week and a minimum of 800 hours of training in an approved school or an apprenticeship program approved by the board or by another licensing jurisdiction; and
 - (4) documents verifying that a state in which the applicant was licensed as a non-chemical barber required the applicant to pass a written examination to qualify for licensure.
- (c) An applicant unable to satisfy the requirements of (a)(3) or (b)(3) of this section due to lack of equivalency may obtain the needed hours of training and experience through attendance at an approved school or participation in an apprenticeship program approved by the board.

Authority: AS 08.13.030 AS 08.13.082 AS 08.13.100

12 AAC 09.096. HAIR BRAIDING LICENSE REQUIREMENTS. An applicant for a hair braiding license shall apply on a form provided by the department. The application must include

- (1) payment of the fees established in 12 AAC 02.140;
- (2) verification of completed training required under 12 AAC 09.164 by submitting either
 - (A) documentation of 35 hours of training received from
 - (i) a licensed school in this state; or
 - (ii) a licensed hairdresser, instructor of hairdressing, or hair braider in this state that meets the requirements of 12 AAC 09.186; or
 - (B) verification of licensure from another state with equivalent requirements in which the applicant is licensed as a hair braider; the verification must include the number hours of training the applicant completed.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100

12 AAC 09.097. CREDIT FOR HOURS OF COURSE WORK AND TRAINING. (a) An applicant may use the same hours of course work and training to qualify for a license as a barber, a license as a non-chemical barber, and a license as a hairdresser. To be acceptable, the hours of course work and training must meet the requirements set out in this chapter for the applicable license.

(b) An applicant may use the same hours of course work and training to qualify for a license to practice tattooing and a license to practice permanent cosmetic coloring. To be acceptable, the hours of course work and training must meet the requirements set out in this chapter for the applicable license.

Authority: AS 08.13.030 AS 08.13.080

12 AAC 09.100. ESTHETICIAN LICENSE BY EXAMINATION. An application for an esthetician license by examination must be submitted in accordance with 12 AAC 09.005, with verification of at least 350 hours of esthetics training in an approved school or apprenticeship program, or in a combination of training and apprenticeship approved by the board or by another licensing jurisdiction.

Authority: AS 08.13.030 AS 08.13.082 AS 08.13.090
AS 08.13.080

12 AAC 09.105. ESTHETICIAN LICENSE BY WAIVER. An applicant for an esthetician license by waiver of examination must apply on a form provided by the department. The application must include

- (1) payment of the applicable fees established in 12 AAC 02.140;
- (2) verification of a current license to practice as an esthetician issued by another state;
- (3) verification of training equivalent to that described in 12 AAC 09.100; and
- (4) documents verifying that a state in which the applicant was licensed as an esthetician required the applicant to pass a written examination to qualify for licensure.

Authority: AS 08.13.030 AS 08.13.100

12 AAC 09.106. INSTRUCTOR LICENSE REQUIREMENTS. (a) A barber, hairdresser, manicurist, or esthetician who applies for an instructor license must comply with the requirements of this section before teaching in a school or instructing an apprentice in the practice or instruction of barbering, hairdressing, manicuring, or esthetics.

(b) A person licensed as an instructor is limited to instructing only in those fields in which the instructor holds a valid Alaska practitioner license.

(c) An application for an instructor license by examination must be submitted in accordance with 12 AAC 09.005, and must include verification of

- (1) a current barber, hairdresser, manicurist, or esthetician practitioner license in this state; and
- (2) either

(A) at least three years of practice as a licensed barber, hairdresser, manicurist, or esthetician in this state or in another licensing jurisdiction; or

(B) one year of practice as a licensed barber, hairdresser, manicurist, or esthetician in this state or another licensing jurisdiction followed by 600 hours of student-instructor training in a school approved by the board or approved by another licensing jurisdiction.

(d) An applicant for an instructor license by waiver of examination shall apply on a form provided by the department. The application must include

- (1) payment of the fees established in 12 AAC 02.140;
- (2) verification of a current barber, hairdresser, manicurist, or esthetician instructor license issued by another licensing jurisdiction that meets or exceeds the licensing standards of the state;
- (3) repealed 11/23/2023;
- (4) documents verifying that a state in which the applicant was licensed as an instructor required the applicant to pass a written examination to qualify for licensure; and
- (5) repealed 9/26/2024.

(e) Repealed 6/8/2016.

(f) An applicant for an advanced manicurist instructor license must apply on a form provided by the department. The application must include

- (1) verification of one year of work experience as a manicurist or hairdresser that includes at least 32 hours per week;
- (2) proof of passing the
 - (A) written examination for an advanced manicurist endorsement; and
 - (B) instructor's written examination; and
- (3) payment of the applicable fees established in 12 AAC 02.140.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.070

12 AAC 09.107. TEMPORARY PERMITS. (a) A request for a temporary permit must be made on an application for licensure form provided by the department. The application must include

- (1) verification of a current license to practice barbering, non-chemical barbering, hairdressing, hair braiding, manicuring, esthetics, body piercing, tattooing, or permanent cosmetic coloring issued by another state; and
- (2) the application fee, license fee, and temporary permit fee specified in 12 AAC 02.140.

(b) In accordance with AS 08.13.170, a temporary permit is valid until the board acts on the application for a permanent license which it must do within six months.

Authority: AS 08.13.030 AS 08.13.170

12 AAC 09.108. ADVANCED MANICURIST ENDORSEMENT BY EXAMINATION. An application for an endorsement as an advanced manicurist by examination must be submitted in accordance with 12 AAC 09.005, with verification of at least 250 hours of advanced manicuring training in a school approved by the board or by another licensing jurisdiction.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.090
AS 08.13.040

12 AAC 09.109. ADVANCED MANICURIST ENDORSEMENT BY WAIVER. An applicant for an endorsement as an advanced manicurist by waiver of examination must apply on a form provided by the department. The application must include

- (1) payment of the applicable fees established in 12 AAC 02.140;
- (2) verification of a current license to practice as a manicurist issued by another state;
- (3) verification of training equivalent to that described in 12 AAC 09.148; and
- (4) documents verifying that a state in which the applicant was licensed as manicurist required the applicant to pass a written examination to qualify for licensure.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.040

12 AAC 09.110. SHOP OWNER LICENSE. (a) An applicant for a shop owner license shall submit a completed application on a form provided by the department. A complete application must include

- (1) payment of the fees established in 12 AAC 02.140;
- (2) name of the owner or lessee;
- (3) business name of the shop;
- (4) mailing and street address of the shop;
- (5) if the shop owner is not a licensed practitioner, the name and license number of the practitioner who is employed as manager of the shop;
- (6) a listing of all other shops the applicant owns which includes the business name, mailing address, and street address of each; and

(7) a completed certification of compliance form provided by the department reflecting that the provisions of 18 AAC 23 that set requirements regarding health and sanitary conditions in shops have been met, or documentation that within the 90 days before until the 90 days after the date the application was submitted to the department, the applicant was found to be in compliance with the equivalent health and sanitary regulations of the municipality as a designee of the Department of Environmental Conservation and in which the shop is located; the applicant must obtain that documentation from the municipality, except that an applicant whose shop is located within a shop already inspected under this paragraph may submit a copy of that inspection report or designate that a copy of the report is already on file with the department; if the application is for a shop where body piercing, tattooing, or permanent cosmetic coloring will be practiced, the shop must be inspected and certified by the Department of Environmental Conservation as in compliance with the state environmental sanitation regulations in 18 AAC 23.

(b) A shop owner license is not transferable to another person. In the event of sale, lease, or transfer of ownership of a shop, the buyer, lessee, or transferee must apply for and be issued a new shop owner license, under this section, before conducting business.

(c) A violation of 18 AAC 23 is grounds for the suspension or revocation of a license or permit under AS 08.13.030(c).

(d) A shop owner or manager of a shop shall permit any member of the board or department representative to inspect the shop at any time during working hours to ensure compliance with AS 08.13 and this chapter and with the state environmental health and sanitation requirements of 18 AAC 23. The inspection under this subsection for purposes of meeting the requirements of 18 AAC 23 shall be recorded on a form approved by the board.

(e) A shop owner shall provide a suitable area, accessible to all employees and apprentices, for posting announcements and public notices from the board or the department.

(f) A shop owner shall have a separate shop owner license for each shop owned.

(g) If after an inspection, the department or the Department of Environmental Conservation finds that a shop is not in compliance with the environmental health and sanitation regulations required under (a)(7) or (d) of this section, the board may suspend the shop owner license until the shop owner submits documentation or is reinspected by a department representative to ensure that the shop is in compliance with the requirements of (a)(7) of this section.

(h) A shop owner that intends to move the shop to a new location must meet the requirements of (a)(7) of this section and submit written notification of the new address before conducting business in the new location.

(i) A shop owner that is currently licensed by the board that intends to add to the shop a tattooing, permanent cosmetic coloring, or body piercing procedure, must meet the requirements of (a)(7) of this section and AS 08.13.215 before that procedure may be conducted in the shop.

(j) The shop owner or manager of the shop shall designate a licensed practitioner to conduct the business of the shop when the shop owner or manager of the shop is absent from the shop.

Authority: AS 08.13.030 AS 08.13.210 AS 08.13.215
AS 08.13.120

12 AAC 09.111. MOBILE SHOPS. The board may issue a shop owner license to an applicant with a mobile unit for practicing barbering, hairdressing, manicuring, or esthetics who submits

- (1) the physical location where the unit will be parked when not in service;
- (2) a statement detailing the type of services to be provided;
- (3) the name and residence of the unit's owner;
- (4) the documentation required under 12 AAC 09.110(7); and
- (5) payment of the applicable fees established in 12 AAC 02.140.

Authority: AS 08.13.030 AS 08.13.160 AS 08.13.210

12 AAC 09.112. TEMPORARY SHOP LICENSE. (a) The board will issue a temporary shop license to a person who

(1) holds a current license or temporary permit in this state to practice body piercing, tattooing, or permanent cosmetic coloring;

(2) intends to hold a workshop or to demonstrate techniques as part of a convention or other special event that includes other practitioners of body piercing, tattooing, or permanent cosmetic coloring; and

(3) meets the requirements of this section.

(b) An applicant for a temporary shop license under this section shall submit

(1) a completed application on a form provided by the department; a completed application must identify the convention or other special event, its location, and the dates for which the temporary shop license is being requested;

(2) an affidavit verifying that the applicant has applied for a Department of Environmental Conservation certificate of sanitary standards issued under 18 AAC 23.310; and

(3) the temporary shop license fee established under 12 AAC 02.140.

(c) An application for a temporary shop license must be received in the department’s Juneau office at least 30 days before the convention or other special event is scheduled to begin.

(d) A temporary shop license is valid only for the dates and locations of the convention or other special event described in the application, and for the practitioner to whom it was issued.

(e) A temporary shop license must be posted in a conspicuous location on site at the convention or other special event.

(f) In this section and AS 08.13.120(b), “convention or other special event” means a convention, industry trade show, or similar event that includes practitioners of body piercing, tattooing, or permanent cosmetic coloring and at which the license applicant intends to demonstrate to the other practitioners products or techniques related to body piercing, tattooing, or permanent cosmetic coloring.

Authority: AS 08.13.030 AS 08.13.120 AS 08.13.130

Editor’s note: The department’s Juneau office’s mailing address is State of Alaska, Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806, and the physical address is 333 Willoughby Avenue, Juneau, Alaska.

~~**12 AAC 09.115. VERIFICATIONS.** Verification of licensed work experience or training of an applicant required under this chapter must be certified or notarized documentation supplied to the board by~~

~~(1) another jurisdiction’s licensing board;~~

~~(2) a licensed school or shop;~~

~~(3) a licensed instructor;~~

~~(4) a licensed hairdresser, esthetician, barber, non-chemical barber, body piercing practitioner, tattooing practitioner, or permanent cosmetic coloring practitioner who sponsored an apprentice and maintained the required records under 12 AAC 09.190; or~~

~~(5) an individual who has direct personal knowledge of the applicant’s work experience hours.~~

Authority: AS 08.13.030 AS 08.13.080

**ARTICLE 5.
SCHOOLS AND CURRICULUM.**

Section

- 120. (Repealed)
- 125. Requirements for school license; renewal requirements
- 127. License requirements for school offered by a college or university
- 130. School records
- 135. Transfer of hours and reenrollment
- 140. Instructor-student ratio
- 143. Manicuring school curriculum
- 144. (Repealed)
- 145. (Repealed)
- 146. Equipment for schools teaching advanced manicuring
- 148. Advanced manicurist endorsement curriculum
- 150. (Repealed)
- 155. Equipment for barbering or hairdressing schools
- 160. Barber and hairdresser school curriculum
- 161. Non-chemical barbering school curriculum
- 162. Equipment for esthetics schools

- 163. Esthetics school curriculum
- 164. Hair braiding curriculum
- 165. Instructor curriculum
- 167. Body piercing training requirements
- 168. Permanent cosmetic coloring training requirements
- 169. Tattooing training requirements
- 170. Theory syllabus
- 173. Out-of-state training in body piercing, tattooing, and permanent cosmetic coloring
- 175. Sanitation

12 AAC 09.120. SCHOOL OWNER LICENSE. Repealed 2/28/88.

12 AAC 09.125. REQUIREMENTS FOR SCHOOL LICENSE; RENEWAL REQUIREMENTS. (a) Except for a school licensed under 12 AAC 09.127, in order to obtain a school license, a person, an association, a firm, or a corporation proposing to open a school of barbering, hairdressing, manicuring, or esthetics must apply to the board for a school license on a form provided by the department. The application must include

- (1) the fees established in 12 AAC 02.140;
- (2) the name of the school owner;
- (3) the names of all parties having a financial interest in the school;
- (4) an exact description of the floor plan and location of the school;
- (5) a completed certification of compliance form provided by the department reflecting that the provisions of 18 AAC 23 that set requirements regarding health and sanitary conditions in schools, or the equivalent requirements of a municipality as a designee of the Department of Environmental Conservation and in which the school is located, have been met; and

(6) verification from the Alaska Commission on Postsecondary Education that the applicant is

(A) authorized to operate a postsecondary educational institution in the state as described in AS 14.48.070 if the board approves the application for a school under this chapter; or

(B) exempt under AS 14.48.030 from the requirements for an authorization to operate under AS 14.48.070.

(b) Except as provided in (j) and (l) of this section, in order to be approved by the board, a school must be a minimum of 1,000 square feet, including at least 15 square feet of instructional areas for each student. Minimum required instructional areas are

- (1) one classroom for theoretical instruction;
- (2) one practical-operation instructional area with student stations arranged to facilitate work to be performed; and
- (3) one dispensary with at least one sink with hot and cold water.

(c) For the purpose of determining minimum instructional areas, noninstructional areas of a school are lavatories, closets, hallways, reception areas, offices, stock room and other similar rooms or structures.

(d) School premises are subject to inspection and approval by at least one board member before initial licensure.

(e) A school license is not transferable to another person. In the event of sale, lease, or transfer of ownership of a school, the seller, lessor, or transferor shall notify the board in writing of the transaction within 30 days after the sale, lease, or transfer. The notice must include the name and address of the buyer, lessee, or transferee. The buyer, lessee, or transferee must apply for and be issued a new school license under this section before conducting business.

(f) If the operation of a school is moved to a new location, the school owner shall notify the board in writing of the move within 30 days after the move. A school moved to a new location is subject to inspection in accordance with this section.

(g) A school must provide a suitable area, accessible to all students, for posting announcements and public notices from the board or the department.

(h) A branch or extension of a licensed barber or hairdresser school must be in compliance with (b) - (d) of this section and with 12 AAC 09.155 and 12 AAC 09.175. A branch or extension of a licensed manicuring or esthetics school is required to be in compliance with (b) - (d) of this section and with 12 AAC 09.162 and 12 AAC 09.175.

(i) Repealed 6/8/2016.

(j) In order to be approved by the board, a school offering the 250-hour advanced manicurist curriculum described in 12 AAC 09.148 must be a minimum of 600 square feet, including at least 15 square feet of instructional area for each student.

(k) An applicant for renewal of a school license must certify on the renewal application that the applicant still meets the requirements of (a)(6)(A) or (B) of this section.

(l) In order to be approved by the board, a school offering the 12-hour manicurist curriculum described in 12 AAC 09.143 must be a minimum of 300 square feet, including at least 7 square feet of instructional area for each student.

(m) A school owner shall permit any member of the board or department representative to inspect the school at any time during working hours to ensure compliance with AS 08.13 and this chapter and with the state environmental health and sanitation regulations of 18 AAC 23. The inspection under this subsection for purposes of meeting the requirements of 18 AAC 23 shall be recorded on a form approved by the board.

Authority: AS 08.13.030 AS 08.13.110 AS 08.13.210

12 AAC 09.127. LICENSE REQUIREMENTS FOR SCHOOL OFFERED BY A COLLEGE OR UNIVERSITY. (a) A college or university proposing to open a school of barbering, hairdressing, manicuring, or esthetics must apply to the board for a school license on a form provided by the department. The application must include

- (1) the fees established in 12 AAC 02.140;
- (2) the name and location of the school;
- (3) the name of the school administrator;
- (4) a detailed description of the content and structure of the training to be provided by the school.

(b) In order to be approved by the board, the school offered by a college or university must meet the following requirements:

(1) training must be conducted by persons who hold a valid instructor license, issued by the board, in the type of training being provided;

(2) practical training must be conducted in a shop licensed under AS 08.13.120 and 12 AAC 09.110, except that practical training may be conducted at a university or college, if the practical training involves a mannequin or a subject who is a student registered in the college or university's barbering, hairdressing, manicuring, or esthetics program;

(3) the licensed shop must meet the equipment requirements of 12 AAC 09.146, 12 AAC 09.155, and 12 AAC 09.162, as applicable for the type of training provided;

(4) the theoretical and practical training must meet the requirements of 12 AAC 09.143, 12 AAC 09.148, 12 AAC 09.160, 12 AAC 09.161, 12 AAC 09.163, and 12 AAC 09.164 as applicable for the type of training provided.

(c) The school administrator must register each student with the department as required by 12 AAC 09.130(a).

(d) The college or university shall enter into a memorandum of agreement with each shop licensed under AS 08.13.120 and 12 AAC 09.110 at which practical training is to be conducted. The memorandum of agreement must set out the contractual relationship between the parties and document the willingness of each party to comply with the requirements of the applicable statutes and regulations. The college or university shall submit a copy of each memorandum of agreement to the department.

(e) The college or university official administering a school of barbering, hairdressing, manicuring, or esthetics shall permit any member of the board to inspect the school at any time during working hours.

Authority: AS 08.13.030 AS 08.13.110 AS 08.13.210
AS 08.13.070 AS 08.13.180

12 AAC 09.130. SCHOOL RECORDS. (a) A school owner on behalf of the student shall register each student with the department on forms provided by the department, including an application for a student permit; the completed forms must include

- (1) the personal identification information requested on the forms;
- (2) the date of the student's enrollment; and
- (3) the original signatures of the student and an official of the school.

(b) The completed forms required by (a) of this section must be filed with the department within 30 days after the enrollment date. No more than 300 hours of the training required by 12 AAC 09.090, 12 AAC 09.100, or 12 AAC 09.106 will be credited for student attendance before the date the student permit application is filed with the department.

(c) Not later than the 15th day after the calendar quarter, on a form provided by the department, a school shall submit a report on each student enrolled. This report must include

(1) the exact number of hours of theoretical and practical training completed by the student during the previous quarter; and

(2) the exact number and type of operations completed by the student during the previous quarter.

(d) The quarterly report must maintain continuity from month-to-month, from the date of enrollment to the date of termination or completion of the course of instruction regardless of attendance by the student.

(e) Not later than 20 working days after termination of instruction of a student, a school owner shall notify the department, on a form provided by the department, of the termination. The termination report must include the date of the student's enrollment, the date of termination, the total number and types of operations performed by the student, and the total number of hours and types of training received by the student. The termination report is subject to audit and may be utilized to establish credit hours for transfer and reenrollment under 12 AAC 09.135.

(f) Not later than five working days after completion by a student of a course of study, the school owner shall submit to the board an affidavit showing the total number of operations, the total number of hours of training and theoretical instruction completed by the student, the date of completion of the course, and verification the student passed the proficiency examination as required by 12 AAC 09.050. This affidavit will serve as certification by the school that the student meets eligibility requirements necessary for examination for licensure.

(g) A student will be considered terminated on the date the school receives written notice from the student of withdrawal or transfer or upon the 31st day of continuous unexcused absence from the school. The school owner shall notify the department of any student in this category, as required by (e) of this section.

(h) A school must provide at least one time clock for the recording of student attendance and must maintain daily records for the purpose of complying with this section. All records required by this subsection must be maintained in an orderly manner and must be available for inspection during hours the school is open for instruction.

(i) A school may not credit a student for more than 10 hours of training in any one day.

(j) A school shall provide a certificate, diploma, or other affidavit of completion of a course to each student successfully completing a course of instruction.

(k) After written notice to the student and the department, a school owner may request that the department hold all hours for a student that has failed to pay all fees and tuition currently due to the school for the student's course of training until the fees and tuition have been paid. Hours being held by the department for nonpayment to the school may not be used for transfer or to qualify for state board examinations until the school informs the department in writing that the hours are to be taken off of hold status.

(l) A student who is terminated under (e) and (g) of this section and re-enrolls in the same school or enrolls in another licensed school of barbering, hairdressing, or esthetics, must reregister with the department and meet the requirements of this section.

Authority: AS 08.13.030 AS 08.13.110 AS 08.13.180

12 AAC 09.135. TRANSFER OF HOURS AND REENROLLMENT. (a) A school shall accept credit hours of instruction and training of a student transferring from another licensed school in Alaska, or in another licensing jurisdiction, upon presentation of a certified or notarized copy of the records maintained by the board or the other licensing jurisdiction, unless the student has interrupted his schooling for a continuous period of two years or more before the request for transfer of credit hours.

(b) A student requesting reenrollment to a school whose schooling has been interrupted for a continuous period of two years or more will not be allowed credit for hours of instruction received prior to the date of interruption.

Authority: AS 08.13.030 AS 08.13.110

12 AAC 09.140. INSTRUCTOR-STUDENT RATIO. (a) A school must employ and actively utilize the services of only licensed instructors and must maintain at least one full-time licensed instructor for every 25 or fewer enrolled students.

(b) Licensed instructors in the ratio prescribed in (a) of this section must be on the school premises during all hours the school is open for instruction.

(c) A student instructor enrolled in a school may not be utilized to fulfill the instructor to student ratio requirements of this section.

Authority: AS 08.13.030 AS 08.13.110 AS 08.13.190

12 AAC 09.143. MANICURING SCHOOL CURRICULUM. (a) A student who is enrolled in a course of manicuring must complete a curriculum that consists of at least 12 hours of instruction or training that includes the following subjects for the minimum number of hours specified:

- (1) bacteria: one hour;
- (2) infectious agents and infection: two hours;
- (3) sanitation: three hours;
- (4) harmful products and protection: two hours;
- (5) anatomy and physiology: two hours;
- (6) nail disorders: two hours.

(b) The curriculum set out in (a) of this section shall be taught from a board approved textbook.

(c) A licensed instructor from a school approved by the board may teach the curriculum in (a) of this section in a location outside of the licensed school upon written notification to the board.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.110

12 AAC 09.144. MANICURING SCHOOL CURRICULUM. Repealed 6/8/2016.

12 AAC 09.145. EQUIPMENT FOR BARBER SCHOOLS. Repealed 2/28/88.

19 Requirements

12 AAC 09.146. EQUIPMENT FOR SCHOOLS TEACHING ADVANCED MANICURING. (a) In addition to meeting the requirements of 12 AAC 09.125(b), the classroom for theoretical instruction of the practice of advanced manicuring must be equipped with seating capacity for all students attending the class, and with equipment including

- (1) one blackboard;
- (2) a chart or charts of the skin, hair, muscles, nerves, bones, and circulatory system; and
- (3) a book or books on general anatomy, physiology, and hygiene.

(b) The school shall provide each student with at least one board-approved textbook covering the subjects listed in 12 AAC 09.148.

(c) The practical instructional area must have available the following equipment:

- (1) a cabinet for instruments and linens;
 - (2) a towel container for soiled linens;
 - (3) a smock;
 - (4) terrycloth or disposable towels;
 - (5) manicuring materials including orange wood sticks, finger bowls, steel pushers, emery boards, metal nail files, cuticle nippers, callus removers, moisturizing lotion, antibacterial soap, finger nail clippers, plastic spatulas, septic powder, cotton balls, cuticle cream, cuticle oil, cuticle solvent, supply trays, polish, tweezers, nail brushes, and chamois buffers;
 - (6) a manicuring table with adjustable lamp and two chairs;
 - (7) pedicure tubs;
 - (8) a manicure ventilation system;
 - (9) a paraffin wax machine;
 - (10) artificial nail supplies, including acetone, acrylic powder and liquid, dappen dishes, nail forms and tips, natural bristle brushes, fine and heavy grit files, small scissors, buffing blocks, primer, safety glasses and mask, adhesive, glue, three-way buffers, nail oil, professional electric nail file, and silk wraps;
 - (11) rubber or latex gloves;
 - (12) chemical agents and labeled containers for sanitary purposes.
- (d) For every six or fewer students working at one time, the practical instructional area must have a wash basin with running hot and cold water.

Authority: AS 08.13.030

AS 08.13.110

12 AAC 09.148. ADVANCED MANICURIST ENDORSEMENT CURRICULUM. (a) An applicant for an endorsement as an advanced manicurist must complete a curriculum that consists of at least 250 hours of instruction or training in manicuring that includes the following subjects for the minimum number of hours specified:

- (1) sanitation and safety measures: 45 hours, including instruction in
 - (A) bacteriology; and
 - (B) sanitation, including
 - (i) chemical agents; and
 - (ii) sanitizing methods and procedures;
 - (C) federal Occupational Safety and Health Administration (OSHA) safety standards; and
 - (D) infectious agents and infection;
 - (2) anatomy and physiology of the arms, hands, and feet: 45 hours, including instruction in
 - (A) nail shapes, structures, and growth, including
 - (i) nail irregularities; and
 - (ii) nail diseases;
 - (B) bones, muscles, and nerves of the arm and hand;
 - (C) skin histology and functions; and
 - (D) blood circulation, including
 - (i) blood vessels; and
 - (ii) blood supply of the arm, hand, and foot;
 - (3) manicuring and pedicuring: 155 hours, including instruction in
 - (A) preparation;
 - (B) equipment and implements;
 - (C) supplies;
 - (D) procedures, including
 - (i) basic manicure;
 - (ii) oil manicure;
 - (iii) nail analysis; and
 - (iv) hand and arm massage;
 - (E) pedicure;
 - (F) artificial nails, including
 - (i) sculpturing and liquid and powder brush-ons;
 - (ii) artificial nail tips;
 - (iii) nail wraps and repairs;
 - (iv) maintenance; and
 - (v) use of professional electric nail file;
 - (G) polish application; and
 - (H) specific needs;
 - (4) state law: five hours.
- (b) The curriculum in (a) of this section must incorporate the following:
- (1) communication skills;

- (2) professional ethics;
- (3) sales skills;
- (4) decorum;
- (5) record keeping;
- (6) client service record cards.

(c) A student is responsible for participating in the routine maintenance of the sanitary conditions necessary to conduct business. However, credit may not be given for time spent laundering towels, washing floors, walls, windows, or lavatories, or similar work.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.110

12 AAC 09.150. BARBER SCHOOL CURRICULUM. Repealed 2/28/88.

12 AAC 09.155. EQUIPMENT FOR BARBERING OR HAIRDRESSING SCHOOLS. (a) In addition to the requirements of 12 AAC 09.125(b), the classroom for theoretical instruction of the practice of barbering or hairdressing must be equipped with seating capacity for all students attending the classroom, and with equipment including

- (1) one blackboard;
 - (2) a chart or charts of the skin, hair, muscles, nerves, bones and circulatory system of the head, neck, and face;
- and
- (3) a book or books on general anatomy, physiology, and hygiene.

(b) The school shall provide each student with at least one board-approved textbook covering all practical operations in 12 AAC 09.160.

(c) The practical instructional area must have available the following equipment:

- (1) a cabinet for instruments and linens;
- (2) a towel container for soiled towels;
- (3) a cape with sanex strips;
- (4) towels;
- (5) shampoos, tonics, creams, conditioners, and setting lotions;
- (6) rollers;
- (7) clips, and bobby and hair pins;
- (8) combs;
- (9) brushes;
- (10) a dressing table, dresserette, or styling bar with mirror;
- (11) a styling chair;
- (12) a portable hair dryer or blower dryer;
- (13) a curling iron;
- (14) an injector razor with blades;
- (15) scissors;
- (16) permanent-waving solutions, rods and applicators;
- (17) chemical straightening solutions;
- (18) bleaches, tints, rinses, and highlighting solutions;
- (19) disposable rubber gloves;
- (20) thinning shears;
- (21) electric clippers;
- (22) a mannequin;
- (23) repealed 4/23/98;
- (24) for a barbering school, a hot lather machine;
- (25) repealed 6/8/2016;
- (26) waxing materials;
- (27) tweezers;
- (28) manicuring materials.

37 Requirements

(d) For every 6 or fewer students working at one time, the practical instructional area must have available at least

- (1) one shampoo bowl with running hot and cold water; and
- (2) one standard chair-style hair-dryer unit with hood.

Authority: AS 08.13.030 AS 08.13.110

12 AAC 09.160. BARBER AND HAIRDRESSER SCHOOL CURRICULUM. (a) A student who is enrolled in a course of barbering or hairdressing must complete a curriculum that consists of at least 1,650 hours of theoretical and practical training. A school shall teach a minimum of 185 hours of theoretical instruction, including five hours in state law, consisting of the provisions of AS 08.13, this chapter, and the Department of Environmental Conservation regulations contained in 18 AAC 23, and the following minimum number of practical operations, during the 1,650 hours of training:

SUBJECT	MINIMUM NUMBER OF PRACTICAL OPERATIONS, HAIRDRESSERS	MINIMUM NUMBER OF PRACTICAL OPERATIONS, BARBERS
(1) wet hair styling and drying, including hair analysis, shampooing, finger waving, pin curling, and comb outs	180	30
(2) thermal hair styling and drying, including hair analysis, straightening, waving, curling with hot combs and hot curling irons, hair braiding, and blower styling	180	180
(3) permanent waving, including hair analysis and chemical waving	80	50
(4) chemical straightening including hair analysis and the use of sodium hydroxide and other base solutions	10	10
(5) haircutting, including hair analysis and the use of the razor, scissors, electric clippers, and thinning shears, for wet and dry cutting	250	400
(6) haircoloring and bleaching, including hair analysis, predisposition tests, safety precautions, formula mixing, tinting, bleaching, and the use of dye removers, but not including color rinses	75	75
(7) scalp and hair treatments, including hair and scalp analysis, brushing, electric and manual scalp manipulation, and other hair treatments	10	10
(8) beard trimming	5	50
(9) beard shaving	0	50
(10) eyebrow arching and hair removal, including the use of wax, manual or electric tweezers, and depilatories for the removal of superfluous hair	15	0
(11) makeup, including skin analysis, complete and corrective makeup, and the application of false eyelashes	15	0
(12) repealed 6/8/2016		
(13) manicure	15	0

(b) A student is responsible for participating in the routine maintenance of the sanitary conditions necessary to conduct business. However, credit may not be given for time spent laundering towels, washing floors, walls, windows, or lavatories, or similar work.

(c) Repealed 8/10/2012.

(d) Repealed 6/8/2016.

(e) A student or apprentice who is enrolled in a school or apprenticeship program may complete up to 25 percent of the required theoretical instruction hours in (a) of this section through a distance education course online provided by Milady, PivotPoint, or a similar organization approved by the board. Verification of successful completion of this training must be mailed directly to the department from the school or instructor.

(f) In addition to meeting the requirements of (a) of this section, the curriculum required for a hairdresser must include the manicuring curriculum set out in 12 AAC 09.143.

(g) A student must pass a proficiency examination provided by the school in each subject area described in (a) of this section as required by 12 AAC 09.050, after the student completes the course of study.

12 AAC 09.161. NON-CHEMICAL BARBERING SCHOOL CURRICULUM. (a) A student who is enrolled in a course of non-chemical barbering must complete a curriculum that consists of at least 1,350 hours of theoretical and practical training. A school shall teach a minimum of 185 hours of theoretical instruction, including five hours in state law, consisting of provisions of AS 08.13, this chapter, and the Department of Environmental Conservation regulations contained in 18 AAC 23, and the following minimum number of practical operations, during the 1,350 hours of training:

SUBJECT	MINIMUM NUMBER OF PRACTICAL OPERATIONS
(1) wet hair styling and drying, including hair analysis, shampooing, finger waving, pin curling, and comb outs	30
(2) thermal hair styling and drying, including hair analysis, straightening, waving, curling with hot combs and hot curling irons, hair braiding, and blower styling	180
(3) haircutting, including hair analysis and the use of the razor, scissors, electric clippers, and thinning shears, for wet and dry cutting	400
(4) scalp and hair treatments, including hair and scalp analysis, brushing, electric and manual scalp manipulation, and other hair treatments	10
(5) beard trimming	50
(6) beard shaving	50

(b) A student is responsible for participating in the routine maintenance of the sanitary conditions necessary to conduct business. However, credit may not be given for time spent laundering towels, washing floors, walls, windows, or lavatories, or similar work.

(c) A student or apprentice who is enrolled in a school or apprenticeship program may complete up to 25 percent of the required theoretical instruction hours in (a) of this section through a distance education course online provided by Milady, PivotPoint, or a similar organization approved by the board. Verification of successful completion of this training must be mailed directly to the department from the school or instructor.

(d) A student must pass a proficiency examination provided by the school in each subject area described in (a) of this section as required by 12 AAC 09.050, after the student completes the course of study.

12 AAC 09.162. EQUIPMENT FOR ESTHETICS SCHOOLS. (a) In addition to the requirements of 12 AAC 09.125(b), the classroom for instruction in the theory of the practice of esthetics must be equipped with adequate seating for all students attending the class, and must include

- (1) one blackboard;
- (2) a chart or charts of the skin, hair, muscles, nerves, bones, and circulatory system of the head, neck, and face;
- (3) a book or books on general anatomy, physiology and hygiene; and
- (4) at least one board-approved textbook, for each student, covering all practical operations listed in 12 AAC

09.163, provided by the school.

(b) The practical instruction area must include the following equipment:

- (1) a cabinet for instruments and linens;
- (2) a towel container for soiled towels;
- (3) a cape with sanex strips;
- (4) towels;
- (5) a dressing table, dresserette, or styling bar with a mirror;
- (6) repealed 4/21/2010;
- (7) wax materials;
- (8) tweezers;
- (9) facial masks;
- (10) an adequate reclining chair or massage table with paper liners; and

17 Requirements

(11) electrical equipment, including the use of all electrical modalities and electrical apparatus, including dermal lights for facials and skin-care purposes.

(c) For every six or fewer students working at one time, the practical instructional area must have a wash basin with running hot and cold water.

Authority: AS 08.13.030 AS 08.13.110

12 AAC 09.163. ESTHETICS SCHOOL CURRICULUM. (a) A student who enrolls in a course of esthetics must complete a curriculum that consists of at least 350 hours of theoretical and practical training. A school shall teach a minimum of 40 hours of theoretical instruction, including five hours in state law and the following minimum number of practical operations during the 350 hours of training:

SUBJECT	MINIMUM NUMBER OF PRACTICAL OPERATIONS
(1) manual, including skin analysis, cleansing, manipulations, packs and masks	60
(2) electrical, including the use of all electrical modalities and electrical apparatus, including dermal lights for facials and skin-care purposes	40
(3) eyebrow arching and hair removal, including the use of wax, manual or electric tweezers and depilatories for the removal of superfluous hair	50
(4) makeup, including skin analysis, complete and corrective makeup, and the application of false eyelashes	50

(b) A student or apprentice who is enrolled in a school or apprenticeship program may complete up to 25 percent of the required theoretical instruction hours in (a) of this section through a distance education course online provided by Milady, PivotPoint, or a similar organization approved by the board. Verification of successful completion of this training must be mailed directly to the department from the school or instructor.

(c) A student must pass a proficiency examination provided by the school in each subject area described in (a) of this section as required by 12 AAC 09.050, after the student completes the course of study.

Authority: AS 08.13.030 AS 08.13.090 AS 08.13.110

12 AAC 09.164. HAIR BRAIDING CURRICULUM. A student who enrolls in a course of hair braiding must complete 35 hours of instruction. The instruction must include the following:

SUBJECT	MINIMUM NUMBER OF HOURS
(1) hair and scalp analysis	5
(2) diseases and disorders	5
(3) sanitation	5
(4) statutes and regulations	5
(5) natural hair braiding techniques	15

Authority: AS 08.13.030 AS 08.13.080

12 AAC 09.165. INSTRUCTOR CURRICULUM. (a) The curriculum for a student enrolled in a course of instructor training must consist of at least 600 hours of training in teaching barbering, hairdressing, manicuring, or esthetics. A school shall teach the following minimum hours of instruction:

**MINIMUM
HOURS OF**

SUBJECT	INSTRUCTION
(1) Statutes and Regulations of the board	25
(2) Preparatory theoretical instruction, including teaching techniques, lesson planning, methods of instruction, evaluation of instruction, student recordkeeping, state recordkeeping, and school operation	75
(3) Supervision of desk, booking appointments, and assigning students for clinic services	25
(4) Clinic floor supervision under direct supervision of licensed instructor	50
(5) The remaining 425 hours must be completed as scheduled by the school but must include	
(A) presentation of theoretical subjects in a classroom situation	50
(B) presentation of practical subjects in a classroom situation; and	50
(C) supervision of clinic floor	325
(b) A school shall employ text and reference books in a student-instructor teaching program.	
(c) A student is responsible for participating in the routine maintenance of the sanitary conditions necessary to conduct business. However, credit may not be given for time spent laundering towels, washing floors, walls, windows, or lavatories, or similar work.	
(d) A student who is enrolled in a school may complete up to 25 percent of the required hours in (a) of this section through a distance education course online provided by Milady, PivotPoint, or a similar organization approved by the board. Verification of successful completion of this training must be mailed directly to the department from the school or instructor.	

Authority: AS 08.13.030 AS 08.13.110

12 AAC 09.167. BODY PIERCING TRAINING REQUIREMENTS. (a) A student who is receiving training in body piercing must complete a curriculum that consists of at least 1,000 hours of theoretical and practical training. The training must include a minimum of 270 hours of theory instruction and a minimum of 150 practical operations.

- (b) The 150 practical operations required under (a) of this section must include
- (1) 50 practical operations observed by the student;
 - (2) 50 practical operations in which the student participated; and
 - (3) 50 practical operations performed by the student under supervision, but without assistance.
- (c) The 270 hours of theory instruction required in (a) of this section must include the following:

SUBJECT	MINIMUM NUMBER OF HOURS
(1) safety, sanitation, sterilization, and aseptic	100
(2) anatomy and physiology:	30
(3) skin and skin disorders	10
(4) aftercare techniques	100
(5) equipment and supplies	20
(6) Alaska statutes and regulations	10

(d) In addition to the requirements of (a) — (c) of this section, an applicant must successfully complete training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization ~~approved by the board~~, in

- (1) cardiopulmonary resuscitation (CPR); and
- (2) blood borne pathogens.

(e) An applicant for a body piercing license under AS 08.13.082(d)(1)(B) based on training received in another state shall submit, on a form provided by the department, verification of completed training equivalent to that required under (a) – (c) of this section. The applicant may establish compliance with the requirements of (c)(6) of this section by submitting to the department an affidavit from the applicant that states that the applicant has studied the Alaska statutes and regulations regarding body piercing for at least the minimum number of hours required.

(f) An applicant for a body piercing license under (e) of this section who does not have enough hours to satisfy the requirements equivalent to those of (a) – (c) of this section may obtain the remaining hours of training needed in a licensed shop in this state under a licensed practitioner of body piercing. The applicant must obtain a student permit under 12 AAC 09.180 and board approval of the proposed training program under 12 AAC 09.190 before the training begins.

(g) A student or apprentice who is enrolled in a school or apprenticeship program may complete up to 25 percent of the required theory instruction hours in (c) of this section through a distance education course online provided by Milady, PivotPoint, or a similar organization approved by the board. Verification of successful completion of this training must be mailed directly to the department from the school or instructor.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

12 AAC 09.168. PERMANENT COSMETIC COLORING TRAINING REQUIREMENTS. (a) A student who is receiving training in permanent cosmetic coloring must complete a curriculum that consists of at least 250 hours of training. The training must include a minimum of 125 hours of theory instruction and a minimum of 75 hours of practical operations, including the number of practical operations under (c) of this section, during which the trainer must be physically present in the shop.

(b) The 125 hours of theory instruction required under (a) of this section must include the following:

SUBJECT	MINIMUM NUMBER OF HOURS
(1) safety, sanitation, sterilization, and aseptic	45
(2) anatomy and physiology	10
(3) skin and skin disorders	10
(4) aftercare techniques	30
(5) equipment and supplies	10
(6) Alaska statutes and regulations	10
(7) emotional and psychological considerations of the client	5
(8) face shape and color theory	5

(c) The 75 hours of practical operations required in (a) of this section must include

(1) 25 practical operations observed by the student, including eight lips, eight eyeliners, and eight eyebrows, and may include microblading;

(2) 25 practical operations in which the student participated, including eight lips, eight eyeliners, and eight eyebrows, and may include microblading; and

(3) 25 practical operations performed by the student under supervision, but without assistance, including eight lips, eight eyeliners, and eight eyebrows, and may include microblading.

(d) In addition to the requirements of (a) – (c) of this section, an applicant must successfully complete training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization ~~approved by the board~~, in

(1) cardiopulmonary resuscitation (CPR); and

(2) blood borne pathogens.

(e) An applicant for a permanent cosmetic coloring license under AS 08.13.082(d)(1)(B) based on training received in another state shall submit, on a form provided by the department, verification of completed training equivalent to that required under (a) – (c) of this section. The applicant may establish compliance with the requirement of (b)(6) of this section by submitting to the department an affidavit from the applicant that states that the applicant has studied the Alaska statutes and regulations regarding permanent cosmetic coloring for at least the minimum number of hours required.

(f) An applicant for a permanent cosmetic coloring license under (e) of this section who does not have enough hours to satisfy the requirements equivalent to those of (a) – (c) of this section may obtain the remaining hours of training needed in a licensed shop in this state under a licensed practitioner of permanent cosmetic coloring. The

applicant must obtain a student permit under 12 AAC 09.180 and board approval of the proposed training program under 12 AAC 09.190 before the training begins.

(g) A student or apprentice who is enrolled in a school or apprenticeship program may complete up to 25 percent of the required theory instruction hours in (b) of this section through a distance education course online provided by Milady, PivotPoint, or a similar organization approved by the board. Verification of successful completion of this training must be mailed directly to the department from the school or instructor.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

12 AAC 09.169. TATTOOING TRAINING REQUIREMENTS. (a) A student who is receiving training in tattooing must complete a curriculum that consists of at least 1,000 hours of training. The training must include a minimum of 270 hours of theory instruction and a minimum of 150 hours of practical operations as required under (c) of this section, during which the trainer must be physically present in the shop.

(b) The 270 hours of theory instruction required under (a) of this section must include the following:

SUBJECT	MINIMUM NUMBER OF HOURS
(1) safety, sanitation, sterilization, and aseptic	100
(2) anatomy and physiology	30
(3) skin and skin disorders	10
(4) aftercare techniques	100
(5) equipment and supplies	20
(6) Alaska statutes and regulations	10

(c) The 150 hours of practical operations required in (a) of this section must include

- (1) 50 practical operations observed by the student;
- (2) 50 practical operations in which the student participated; and
- (3) 50 practical operations performed by the student under supervision, but without assistance.

(d) In addition to the requirements of (a) – (c) of this section, an applicant must successfully complete training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization ~~approved by the board~~, in

- (1) cardiopulmonary resuscitation (CPR); and
- (2) blood borne pathogens.

(e) An applicant for a tattooing license under AS 08.13.082(d)(1)(B) based on training received in another state shall submit, on a form provided by the department, verification of completed training equivalent to that required under (a) – (c) of this section. The applicant may establish compliance with the requirements of (b)(6) of this section by submitting to the department an affidavit from the applicant that states that the applicant has studied the Alaska statutes and regulations regarding tattooing for at least the minimum number of hours required.

(f) An applicant for a tattooing license under (e) of this section who does not have enough hours to satisfy the requirements equivalent to those of (a) – (c) of this section may obtain the remaining hours of training needed in a licensed shop in this state under a licensed practitioner of tattooing. The applicant must obtain a student permit under 12 AAC 09.180 and board approval of the proposed training program under 12 AAC 09.190 before the training begins.

(g) A student or apprentice who is enrolled in a school or apprenticeship program may complete up to 25 percent of the required theory instruction hours in (b) of this section through a distance education course online provided by Milady, PivotPoint, or a similar organization approved by the board. Verification of successful completion of this training must be mailed directly to the department from the school or instructor.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

12 AAC 09.170. THEORY SYLLABUS. (a) The board will, in its discretion, provide a theory syllabus to licensed schools of barbering, hairdressing, manicuring, and esthetics, outlining topics to be taught by the school and listing suggested textbooks to be used for instruction in the practice of barbering, hairdressing, manicuring, and esthetics.

(b) Repealed 12/6/2020.

Authority: AS 08.13.030 AS 08.13.110

12 AAC 09.173. OUT-OF-STATE TRAINING IN BODY PIERCING, TATTOOING, AND PERMANENT COSMETIC COLORING. (a) Training in body piercing received outside of this state under AS 08.13.082(d)(1)(B) will be approved by the board if the training meets the requirements of 12 AAC 09.167(a) - (c) and is provided by a person knowledgeable in the applicable techniques.

(b) Training in tattooing received outside of this state under AS 08.13.082(d)(1)(B) will be approved by the board if the training meets the requirements of 12 AAC 09.169(a) – (c) and is provided by a person knowledgeable in the applicable techniques.

(c) Training in permanent cosmetic coloring received outside of this state under AS 08.13.082(d)(1)(B) will be approved by the board if the training meets the requirements of 12 AAC 09.168(a) – (c) and is provided by a person knowledgeable in the applicable techniques.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

12 AAC 09.175. SANITATION. A violation of 18 AAC 23 is grounds for the suspension or revocation of a license or permit under AS 08.13.030(c)(2).

Authority: AS 08.13.030 AS 08.13.210

ARTICLE 6. STUDENT PERMITS, TRAINING, AND APPRENTICES.

Section

180. Student permits

185. Trainees in body piercing, tattooing, or permanent cosmetic coloring

186. Trainees in hair braiding

190. Apprentices of barbering, non-chemical barbering, hairdressing, and esthetics

12 AAC 09.180. STUDENT PERMITS. (a) The board will issue a student permit to an applicant who meets the requirements of AS 08.13.180 and submits a completed application on a form provided by the department; the completed application must include

- (1) the personal identification information requested on the form;
- (2) payment of the fees established in 12 AAC 02.140; and
- (3) proof of

(A) enrollment in a licensed school of barbering, hairdressing, or esthetics, as specified in 12 AAC 09.130;

(B) acceptance as an apprentice to a practitioner in a shop approved by the board; or

(C) receiving training from a practitioner of tattooing, permanent cosmetic coloring, or body piercing.

(b) The board will issue a student-instructor permit, valid for two years from date of issuance, upon receipt of the applicant's

(1) proof of enrollment in a student-instructor program in a licensed school of barbering, hairdressing, manicuring, or esthetics as specified in 12 AAC 09.130; and

(2) proof of a current license to practice as a barber, non-chemical barber, hairdresser, esthetician, or as a manicurist with an endorsement as an advanced manicurist.

(c) The board will, in its discretion, extend a student permit beyond the original expiration date of the permit, up to the date of the next scheduled examination, if a request for an extension is made by the permit holder explaining the need for the extension.

(d) Repealed 8/10/2012.

(e) A student may claim hours under (a)(2)(A) of this section as a student or under (a)(2)(B) of this section as an apprentice. The board will not accept hours for a student enrolled in school training and an apprentice program at the same time.

(f) Unless the student's permit is extended under (c) of this section, a student whose permit has expired under this section and re-enrolls in the same school or enrolls in another licensed school of barbering, hairdressing, manicuring, or esthetics, must reregister with the department and meet the requirements of this section.

Authority: AS 08.13.030 AS 08.13.180 AS 08.13.190

12 AAC 09.185. TRAINEES IN BODY PIERCING, TATTOOING, OR PERMANENT COSMETIC COLORING. (a) A currently licensed practitioner of body piercing, tattooing, or permanent cosmetic coloring who has held a practitioner's license in this state for at least one year before the training begins may provide training to no more than two trainees simultaneously in a shop licensed by the board under 12 AAC 09.110. A license practitioner of

- (1) body piercing may provide training in body piercing;
- (2) tattooing may provide training in tattooing;
- (3) permanent cosmetic coloring may provide training in permanent cosmetic coloring.

- (b) The trainer must
 - (1) provide a time clock in the shop for the recording of the trainee's attendance;
 - (2) maintain daily records of the trainee's hours of attendance; and
 - (3) maintain all records in an orderly manner and make records available for inspection by a member of the board during the hours the shop is open.
- (c) A trainer may not credit a trainee for more than 10 hours of training in any one day.
- (d) A trainee may not perform work in a shop unless the trainer responsible for the trainee's training is on the premises.
- (e) A trainer must submit a report on each trainee under the trainer's supervision, on a form provided by the department, no later than the 15th day after the calendar quarter. The report must include
 - (1) for tattooing, the exact number of hours of theoretical instruction and exact number and type of practical operations completed by the trainee during the previous quarter;
 - (2) for permanent cosmetic coloring, the exact number of hours of theoretical instruction and exact number and type of practical operations completed by the trainee during the previous quarter;
 - (3) for body piercing, the exact number of hours of theoretical instruction and the exact number and type of practical operations completed by the trainee during the previous quarter.
- (f) The quarterly report must maintain continuity from month-to-month from the date the training begins to the date of termination or completion of the course of training regardless of attendance by the trainee.
- (g) The trainer must submit a certificate of student training form for tattooing, permanent cosmetic coloring, or body piercing within 20 days of termination of the training, documenting the theoretical and practical operations completed by the trainee during the incomplete training period.
- (h) Upon completion of a course of training under this section, the trainee is eligible to take the appropriate examination in the license categories of tattooing, permanent cosmetic coloring, or body piercing. The trainer shall submit a certificate of student training form not later than five days after the completion of training, documenting the theory hours and practical operations.
- (i) A trainee whose training has been interrupted for a continuous period of two years or more will not be allowed credit for the hours of training received before the date the training was interrupted.
- (j) A trainee may have no more than three trainers at a time. Each trainer must submit a statement of responsibility for the trainee. Approved trainers will be listed and reflected on the trainees permit. Any of the approved trainers may submit completion or termination certificates, documenting the theoretical and practical operations completed by the trainee during the incomplete training period in accordance with (g) and (h) of this section.
- (k) A trainee permit is portable to shops licensed by the board under 12 AAC 09.110. The requirements of this section must be met at all times.

Authority: AS 08.13.030 AS 08.13.082

12 AAC 09.186. TRAINEES IN HAIR BRAIDING. (a) A currently licensed hairdresser, instructor in hairdressing, or hair braider in a shop that is licensed by the board under 12 AAC 09.110 may provide instruction in hair braiding in accordance with 12 AAC 09.164.

(b) The trainer under (a) of this section must have held a license in this state for at least one year before the training begins.

Authority: AS 08.13.030 AS 08.13.080

12 AAC 09.190. APPRENTICES OF BARBERING, NON-CHEMICAL BARBERING, HAIRDRESSING, AND ESTHETICS. (a) A currently licensed barber, non-chemical barber, hairdresser, or esthetician instructor in a shop that is licensed by the board under 12 AAC 09.110 may sponsor an apprentice in the instruction of barbering, non-chemical barbering, hairdressing, or esthetics if

- (1) the instructor submits a completed application on a form provided by the department; the completed application must include
 - (A) the personal identification information requested on the form;
 - (B) a curriculum to the board and must provide for
 - (i) verification that the shop where the training will be provided meets the requirements of 12 AAC 09.155 if the apprenticeship training is for barbering or hairdressing, 12 AAC 09.155 except for items listed under 12 AAC 09.155(c)(16) – (18) if the apprenticeship training is for non-chemical barbering, and 12 AAC 09.162 if the apprenticeship training is for esthetics;
 - (ii) instruction of the minimum hours of theoretical and practical training specified in 12 AAC 09.160 if the apprenticeship training is for barbering or hairdressing, 12 AAC 09.161 if the apprenticeship training is for non-chemical barbering, or 12 AAC 09.163 if the apprenticeship training is for esthetics, and the proficiency examination described in 12 AAC 09.050;
 - (iii) a period of apprenticeship that meets the requirements of AS 08.13.082; and
 - (iv) the issuance of an affidavit of completion to each apprentice successfully completing the apprenticeship; and
- (2) the apprentice holds a student permit issued under 12 AAC 09.180(a).

(b) An instructor may sponsor no more than two apprentices. The instructor must ensure that each apprentice sponsored by that instructor has that apprentice's own work station in the shop where the training will be provided.

(c) An instructor may not sponsor a student-instructor.

(d) An instructor must provide training and instruction to the same extent required of a school of barbering, hairdressing, or esthetics.

(e) An instructor must provide a time clock in the shop for the recording of the apprentice's attendance. An instructor must maintain daily records of an apprentice's number of hours of instructional coursework and number of practical operations.

(f) An instructor may not credit an apprentice for more than 10 hours of training in any one day.

(g) All records required to be maintained by an instructor under this section must be maintained in an orderly, alphabetical, or numerical filing system and must be made available for inspection by any member of the board upon reasonable notice.

(h) An apprentice may not perform work in a shop unless the licensed barber, non-chemical barber, hairdresser, or esthetician instructor responsible for the apprentice's training is on the premises.

(i) Not later than the 15th day after the calendar quarter, on a form provided by the department, an instructor shall submit a report on each apprentice enrolled. The quarterly report must

(1) include the exact number of hours of theoretical and practical training completed by the apprentice during the previous quarter;

(2) include the exact number and type of operations completed by the apprentice during the previous quarter; and

(3) maintain continuity from month-to-month, from the date of enrollment to the date of termination or completion of the course of instruction regardless of attendance by the apprentice.

(j) Not later than 20 working days after termination of instruction of an apprentice, the instructor shall notify the department, on a form provided by the department, of the termination. The termination report must include the date of the apprentice's enrollment, the date of termination, the total number and types of operations performed by the apprentice, and the total number of hours and types of training received by the apprentice. The termination report is subject to audit and may be utilized to establish credit hours for transfer and reenrollment under 12 AAC 09.135.

(k) Not later than five working days after completion by an apprentice of a course of training, the instructor in a shop shall submit to the board an affidavit showing the total number of operations, the total number of hours of training and theoretical instruction completed by the apprentice, the date of completion of the training, and verification of passing the proficiency examination as required by 12 AAC 09.050. This affidavit will serve as certification by the instructor that the apprentice meets eligibility requirements necessary for examination for licensure.

(l) Repealed 11/23/2023.

(m) An apprentice who interrupts the apprentice's training for a continuous period of two years will not be allowed credit for apprenticeship instruction and training received before the interruption.

(n) The board will not give credit for apprenticeship work completed before the apprentice has a valid student permit.

(o) For an apprentice who has completed an apprenticeship and has passed the licensing examination, the student permit expires 30 days after the student is notified in writing of passage of the examination. After passing the examination, an apprentice may, under the supervision of a licensed instructor, continue to practice under the student permit until the student permit expires under this subsection or a valid practitioner license is issued, whichever occurs first.

Authority: AS 08.13.030

AS 08.13.082

ARTICLE 7. GENERAL PROVISIONS.

Section

900. (Repealed)

905. Location of shops in private residence

910. Duties of instructors and student-instructors

920. Practice outside a licensed shop or school

930. Reinstatement of a lapsed license

940. Education information and aftercare instructions for body piercing and tattooing and permanent cosmetic coloring; notification requirements

950. Temporary display of posting confirming current license or permit

990. Definitions

12 AAC 09.900. EXAMINERS. Repealed 12/6/2020.

12 AAC 09.905. LOCATION OF SHOPS IN PRIVATE RESIDENCE. (a) No shop may be opened and maintained in a private residence unless the shop is located in a separate room apart from living quarters.

(b) Application for a shop license must be made according to the provisions of 12 AAC 09.110(a) and is subject to the provisions of 12 AAC 09.110(b) and (c).

Authority: AS 08.13.030(c) AS 08.13.120 AS 08.13.210

12 AAC 09.910. DUTIES OF INSTRUCTORS AND STUDENT-INSTRUCTORS. (a) An instructor or student-instructor may not, in connection with duties instructing at a licensed school, practice barbering, hairdressing, manicuring, or esthetics on members of the public, except if the work pertains directly to the instruction of students.

(b) A student-instructor may not be permitted to instruct without a licensed instructor on the school premises.

Authority: AS 08.13.030 AS 08.13.070

12 AAC 09.920. PRACTICE OUTSIDE A LICENSED SHOP OR SCHOOL. (a) A licensee who provides services outside of a licensed shop or school for a purpose listed in AS 08.13.160(e)(1) - (4) shall display his or her current license at the location where the services are provided.

(b) Barbering, hairdressing, manicuring, or esthetics services that are provided at charitable events under AS 08.13.160(e) are limited to those for which adequate health and sanitary conditions can be provided.

(c) A licensee who participates in a workshop or demonstration of techniques or products outside a licensed shop or school may not teach barbering, hairdressing, manicuring, or esthetics to persons who are not licensed or do not hold a permit in this state or another jurisdiction.

Authority: AS 08.13.030 AS 08.13.082 AS 08.13.160

12 AAC 09.930. REINSTATEMENT OF A LAPSED LICENSE. (a) A license issued under AS 08.13 and this chapter that has not been lapsed for more than three years will be reinstated if the applicant

- (1) submits a completed application; and
- (2) pays the applicable fees required under AS 08.13.140 and 12 AAC 02.140.

(b) The board will reinstate a license issued under AS 08.13 and this chapter that has been lapsed for more than three years if the applicant

(1) submits a completed application and supporting documents to show that the applicant was previously licensed in this state;

- (2) pays the applicable fees required under AS 08.13.140 and 12 AAC 02.140; and
- (3) successfully passes the written examination for the license sought.

(c) In addition to the requirements of (a) and (b) of this section, an applicant for reinstatement of a license to practice body piercing, tattooing, or permanent cosmetic coloring must submit verification that the applicant has successfully completed training equivalent to that required for completion of courses certified by the American Red Cross, the American Heart Association, or a similar organization ~~approved by the board~~, and has been issued a current card, in

- (1) cardiopulmonary resuscitation (CPR); and
- (2) blood-borne pathogens.

Authority: AS 08.13.030 AS 08.13.140

12 AAC 09.940. EDUCATION INFORMATION AND AFTERCARE INSTRUCTIONS FOR BODY PIERCING AND TATTOOING AND PERMANENT COSMETIC COLORING; NOTIFICATION REQUIREMENTS. (a) The *Educational Information and Aftercare Instructions for Tattoos*, including eyebrows section of the Educational Information and Aftercare Instructions (March 2003), prepared by the board, are adopted by reference as the minimum standards of aftercare instruction and educational information to be given to a client by a licensed practitioner of tattooing.

(b) The *Educational Information and Aftercare Instructions for Permanent Cosmetic Coloring* section of the Educational Information and Aftercare Instructions (March 2003), prepared by the board, are adopted by reference as the minimum standards of aftercare instruction and educational information to be given to a client by a licensed practitioner of permanent cosmetic coloring.

(c) The *Educational Information and Aftercare Instructions for Body Piercing* section of the Educational Information and Aftercare Instructions (March 2003), prepared by the board, are adopted by reference as the minimum standards of aftercare instruction and educational information to be given to a client by a licensed practitioner of body piercing.

(d) The Information Regarding Potential Health Risks and Other Information section of the *Educational Information and Aftercare Instructions* (March 2003), prepared by the board, is adopted by reference as the statement provided by the board under AS 08.13.030(b) that the owner of a shop for tattooing, permanent cosmetic coloring, or body piercing shall prominently display in the shop as required under AS 08.13.215(c)(1).

Authority: AS 08.13.030 AS 08.13.215

Editor's note: A copy of the *Educational Information and Aftercare Instructions*, adopted by reference in 12 AAC 09.940, may be obtained from the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing, Board of Barbers and Hairdressers, P.O. Box 110806, Juneau, AK 99811-0806; phone: (907) 465-2547.

12 AAC 09.950. TEMPORARY DISPLAY OF POSTING CONFIRMING CURRENT LICENSE OR PERMIT. To meet the requirements of AS 08.13.130, until a person's original current license or permit is received by that person, the person shall display a copy of the department's Internet website posting confirming the person's current license or permit in a conspicuous location as required for the original license or permit under AS 08.13.130.

Authority: AS 08.13.030 AS 08.13.130

Editor's note: The current posting confirming licensure and permits of persons licensed and permitted by the Board of Barbers and Hairdressers can be found at the Internet website of the Department of Commerce, Community, and Economic Development, Division of Corporations, Business and Professional Licensing at www.commerce.state.ak.us/occ/OccSearch/main.cfm.

12 AAC 09.990. DEFINITIONS. (a) In this chapter,

- (1) "board" means the Board of Barbers and Hairdressers;
 - (2) repealed 7/23/2000;
 - (3) "department" means the Department of Commerce, Community, and Economic Development;
 - (4) "jurisdiction" means a licensing board or administrative agency of another state, territory, or country responsible for issuing licenses and maintaining licensing records for barbers, hairdressers, manicurists, or estheticians;
 - (5) "theoretical instruction" means instruction by lecture, classroom participation, or examination;
 - (6) "practical instruction," "practical operation," or "practical training" means the demonstration of or the actual performance of barbering, hairdressing, manicuring, esthetics, body piercing, tattooing, or permanent cosmetic coloring by a student, apprentice, or practitioner;
 - (7) "manicurist" includes an individual licensed in any jurisdiction as a nail technician;
 - (8) "client release form" means a client's written consent, on a form provided by a practitioner, for the practitioner to perform the requested body piercing, tattooing, or permanent cosmetic coloring procedure;
 - (9) "college or university" means the University of Alaska or a college or university accredited by a national or regional educational accrediting organization;
 - (10) "working day" means a day other than Saturday, Sunday, or a state holiday;
 - (11) "passing a proficiency examination" means demonstrating to the satisfaction of the examiner that the student or apprentice has achieved a high degree of competency in the subject matter and is able to perform the appropriate practical operations without intervention by the examiner.
- (b) For the purposes of AS 08.13.220(5),
- (1) "appliances" in the field of esthetics means only those devices used to stimulate natural physiological processes intended to improve the health and appearance of a person's skin; a device
 - (A) operates within the manufacturer's guidelines;
 - (B) does not directly ablate or destroy live tissue;
 - (C) does not involve an incision into skin beyond the epidermis; and
 - (D) is not defined as a Class III or Class IV laser device under 21 C.F.R. 1040.10, revised as of April 2, 2018, and adopted by reference;
 - (2) "for a fee" does not include remuneration received by a person employed or working under contract to provide make up services for a television, film, or stage production.

Authority: AS 08.13.030 AS 08.13.220