



Board of Barbers & Hairdressers Meeting

Alaska Division of Corporations, Business and Professional Licensing

May 15, 2023 at 8:30 AM AKST to May 15, 2023 at 5:00 PM AKST

Videoconference Meeting

ZOOM Meeting Info:

<https://us02web.zoom.us/j/81174999829?pwd=Q3VMdUU1QlpMUWtDNTNUeml1Mkt1Zz09>

Meeting ID: 811 7499 9829

Passcode: 026262

OR Call In: 1-253-215-8782

TENTATIVE MEETING AGENDA

Working Groups May Occur

Agenda:

1. 8:30 a.m. **May 15, 2023 Call to Order/Roll Call**
 - A. Greet New Board Member(s)/Introductions
 - I. Breanna Hardy, Public Member
 - II. Glenda Ledford, Barber
2. 8:40 a.m. **Review/Amend Agenda**
3. 8:50 a.m. **Ethics Disclosure**
4. 8:55 a.m. **New Business**
 - A. Legislative Guidance – 2023
 - B. Legislative Proposal Update
 - C. Saline Tattoo Removal – Medical Procedure?
5. 9:30 a.m. **Old Business**
 - A. Position Statement(s) – Update/Edit
 - I. Review of Esthetician Dermal Layer of Skin Position Statement
6. 10:00 a.m. **Investigations**
 - A. Investigative Memo
 - B. Investigative Probation Report
 - C. Executive Session
7. 11:00 a.m. **New Business Cont.**
 - A. Proposed Regulation Projects
 - i. Removal of Written Examination Fees 12 AAC 09.002, 09.005, 09.010, 09.075, 02.140
 - ii. 12 AAC 09.004 Courtesy License
 - iii. 12 AAC 09.185 Trainees in Body Piercing, Tattooing, or Permanent Cosmetic Coloring

- iv. 12 AAC 09.190 Apprentices of Barbering, Non-Chemical Barbering, Hairdressing, and Esthetics
- v. 12 AAC 09.002(j) and 12 AAC 09.106(d) - Instructor by Waiver of Examination
- iv. Regulation Draft: 12 AAC 09.004, 09.185, and 09.190

8. 12:30 p.m.

Administrative Business

- A. Review/Edit/Approve Meeting Minutes
 - i. November 14, 2022 Meeting
- B. Correspondence
 - i. Reese Hammer - Service Requirements
 - ii. Diana Straub - Review of Esthetician Dermal Layer of Skin, Position Statement
 - iii. Alcohol being served in shop/salon – Email correspondence from DEC
 - iv. Alaska Commission on Postsecondary Education: Notice of Action/Authorization for Trend Setters School of Beauty and The Esthetics District

9. 1:30 p.m.

Public Comment

10. 1:45 p.m.

Lunch

11. 2:00 p.m.

Division and Financial Update

- A. FY23 2nd Quarter Budget Reports
- B. Legislative Guidance 2023 – Questions from board members

12. 2:30 p.m.

Administrative Business Cont.

- A. Application Review
- B. FY23 Annual Report
 - I. Narrative Statement
 - II. Proposed Regulatory Recommendations
 - III. Proposed Legislative Recommendations
 - IV. Goals and Objectives
 - V. Budget Recommendations

13. 3:30 p.m.

Adjourn

State of Alaska Department of Law

Ethics Information for Members of Boards & Commissions (AS 39.52)

Introduction

This is an introduction to AS 39.52, the Alaska Executive Branch Ethics Act. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and members of statutorily created boards and commissions.

Scope of Ethics Act (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members, and their immediate family, may not improperly benefit, financially or personally, from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

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, board 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 have a personal or financial interest; or
 - coerce subordinates for their personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.



Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

Improper Gifts (AS 39.52.130)

A board member may not solicit or accept gifts if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists are presumed to be improper, unless the giver is immediate family of the person receiving the gift.

A gift worth more than \$150 to a board member or the board member's immediate 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.

The receipt of a gift worth less than \$150 may be prohibited if a person could reasonably infer from the circumstances 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 member will be advised as to the disposition of this gift.

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

This restriction on gifts does not apply to lawful campaign contributions.



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.



Jody receives a holiday gift every year from Sam. Jody was recently appointed to a state board, but Sam has no business that is before the board. Jody may accept the gift.

Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired from participation on the board if that use or disclosure could result in a financial or personal benefit to the board member (or immediate family), unless that information has already been disseminated to the public. Board members are also prohibited from disclosing confidential information, unless authorized to do so.



Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.



Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.



Jim reviews a confidential investigation report in a licensing matter. He discusses the practitioner's violation with a colleague who is not a board member.

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

A board member, or immediate family, may not apply for, or have an interest in a State grant, contract, lease, or loan, if the board awards or takes action to administer the State grant, contract, lease, or loan.

A board member (or immediate family) may apply for or be a party to a competitively solicited State grant, contract or lease, if the board as a body does not award or administer the grant, contract, or lease and so long as the board member does not take official action regarding the grant, contract, or lease.

A board member (or immediate family) 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 loan's award or administration.

Board members must report to the board chair any personal or financial interest (or that of immediate family) 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 www.law.alaska.gov/doclibrary/ethics 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 so he figures that it doesn't matter when her grant application comes up before the board.



The board wants to contract out for an analysis of the board's decisions over the last ten years. Board member Kim would like 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 board or commission member may not represent, advise, or assist a person in matters pending before the board or commission for compensation. A nonsalaried 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 refraining 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.



Susan sits on the licensing board for her own profession. She will represent herself and her business partner in a licensing matter. She discloses this situation to the board and refrains from participation in the board's discussions and determinations regarding the matter.

Restriction on Employment After Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not provide advice or work for compensation on any matter in which the former member personally and substantially participated while serving on the board. This prohibition applies to cases, proceedings, applications, contracts, legislative bills, regulations, and similar matters. 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 the above prohibition if a determination is made that the public interest is not jeopardized.

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.



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 specifies that he will have to work on another project.

Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate the Ethics Act 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

DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)

A board member whose interests or activities could result in a violation of the Ethics Act if the member participates in board action must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff. If another board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) vote on the matter. If the chair or the board determines a violation will occur, the member must refrain from deliberating, voting, or participating in the matter. For more information, see Ethics Act Procedures for Boards and Commissions available at the above noted web site.

When determining whether a board member's involvement in a matter may violate the Ethics Act, either the chair or the board or commission itself may request guidance from the Attorney General.

ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)

A board chair or a board itself may request a written advisory opinion from the Attorney General interpreting the Ethics Act. A former board member may also request a written advice from the Attorney General. These opinions are confidential. Versions of opinions without identifying information may be made available to the public.

REPORTS BY THIRD PARTIES (AS 39.52.230)

A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

Complaints, Hearings, and Enforcement

COMPLAINTS (AS 39.52.310-330)

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 based on 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 or recommend corrective action. 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. Complaints or accusations may also be resolved by settlement with the subject.

CONFIDENTIALITY (AS 39.52.340)

Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

HEARINGS (AS 39.52.350-360)

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the proceeding are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days after the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

PERSONNEL BOARD ACTION (AS 39.52.370)

The Personnel Board reviews the hearing officer's report and is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

PENALTIES (AS 39.52.410-460)

When the Personnel Board determines a board member has violated the Ethics Act, it will order the member to refrain from voting, deliberating, or participating in the matter. The Personnel Board may also 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, it will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable. Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to \$5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

DEFINITIONS (AS 39.52.960)

Please keep the following definitions in mind:

Benefit - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

Board or Commission - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

Designated Ethics Supervisor - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

Financial Interest - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family receives or expects to receive a financial benefit. Holding a position in a business, such as officer, director, partner, or employee, also creates a financial interest in a business.

Immediate Family - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

Official Action - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

Personal Interest - the interest or involvement of a board or commission member (or immediate family) in any organization or political party from which a person or organization receives a benefit.

For further information and disclosure forms, visit our Executive Branch Ethics web site or please contact:

State Ethics Attorney
Alaska Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-5903
(907) 269-5100
attorney.general@alaska.gov

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State of Alaska

Department of Law

Ethics Act Procedures for Boards & Commissions

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 Act¹ has several ethics supervisors designated by statute.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director.
- The executive director serves as DES for the staff.
- The governor is the DES for a chair.²

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 executive director of the board or commission and its staff, 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."* The executive director and 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.

How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures!
- Follow required procedures!
- Provide all information necessary to a correct evaluation of the matter!³
- When in doubt, disclose and seek advice!
- 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.

Procedure for declaring actual or potential conflicts.

Members must declare potential conflicts and other matters that may violate the Ethics Act **on the public record and in writing to the chair.**

Disclosure on the public record. Members must identify actual and potential conflicts orally at the board or commission's public meeting **in advance** of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations or other participation regarding a matter.⁴
- 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.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

- 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, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict submits a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- 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. ⁵
- If so, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An 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. ⁶

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 chair states his or her determination regarding whether the member may participate.
- 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. ⁷

If the chair identifies a potential conflict, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation 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 to the Office of the Governor for review by the chair's 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 chair for approval. The disclosure forms are found on the Department of Law's ethics website.

What Are The Disclosure Procedures for Executive Directors and Staff?

Ethics disclosures of the executive director or staff are made in writing to the appropriate DES (chair for the executive director and the executive director for staff).

- Disclosure forms are found on the ethics website, noted above.

Notices of Potential Violations. Following receipt of a written notice of potential violation, the DES investigates, if necessary, and makes a written determination whether a violation of the Ethics Act could exist or will occur. A DES may seek advice from the Attorney General. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee of the personal or financial interests giving rise to the potential violation.

- These disclosures are not required to be made part of the public record.
- A copy of a determination is provided to the employee.
- Both the notice and determination are confidential.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

- The DES must provide a copy of an approved disclosure or other determination the employee.

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.⁸
- 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?

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.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law Ethics Attorney by e-mail at ethicsreporting@alaska.gov and no other report is required.

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.

It is the obligation of each board or commission member, as well as the staff, to ensure that the public's business is conducted in a manner that is consistent with the standards set out in the Ethics Act. We hope this summary assists you in ensuring that your obligations are met.

1 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.

2 The governor has delegated the DES responsibility to Guy Bell, Administrative Director of the Office of the Governor.

3 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.

4 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.

5 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.

6 In this manner, a member's detailed personal and financial information may be protected from public disclosure.

7 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.

8 The DES provides a copy of the notice to the employee who is the subject of the notice and may seek input from the employee, 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 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 of the personal or financial interests giving rise to the potential violation.

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Ethics Disclosure Form

CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION

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.*



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING
Juneau Office

P.O. Box 110806
Juneau, Alaska 99811-0806
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2023 Legislative Guidance for CBPL Board & Commission Members

As a member of a professional licensing board or commission, you have considerable latitude—as well as responsibility—to recommend changes to your licensing program's enabling statutes. Members of the public, consumers, other professionals, and your industry's association confidently approach members of the legislature to affect the change they wish to see in your practice. Whether taking the initiative or reacting to an "active" bill, board members also need to be prepared to champion their cause!

THE OPEN MEETINGS ACT ALWAYS APPLIES

AS 44.62.310(h) provides detailed definitions of "governmental body," "meeting," and "public entity" that, when combined, define what constitutes a public meeting. A meeting of a decision or policy-making body occurs when more than three members or a majority of the members, whichever is less, engage collectively in discussion of a subject on which the body is authorized to act and set policy and is therefore subject to the Open Meetings Act. Under this definition, it doesn't matter where the meeting occurs, if it was prearranged, or who arranged it and could include unplanned casual or social contact in any location, including the office of a legislator or an industry gathering.

Members of boards and commissions should take care not to conduct business over email, lest the public be removed from the process. Board members should not email each other about board business; if a special meeting is needed, a member can alert staff and a meeting can be arranged and publicly noticed. Remember, all board member email correspondence is discoverable, and your board business is also the public's business.

This information is contained in the *CBPL Guide to Excellence in Regulation*. Board members are provided a bound copy of this guidance manual; however, if you need another copy, you may download it here:

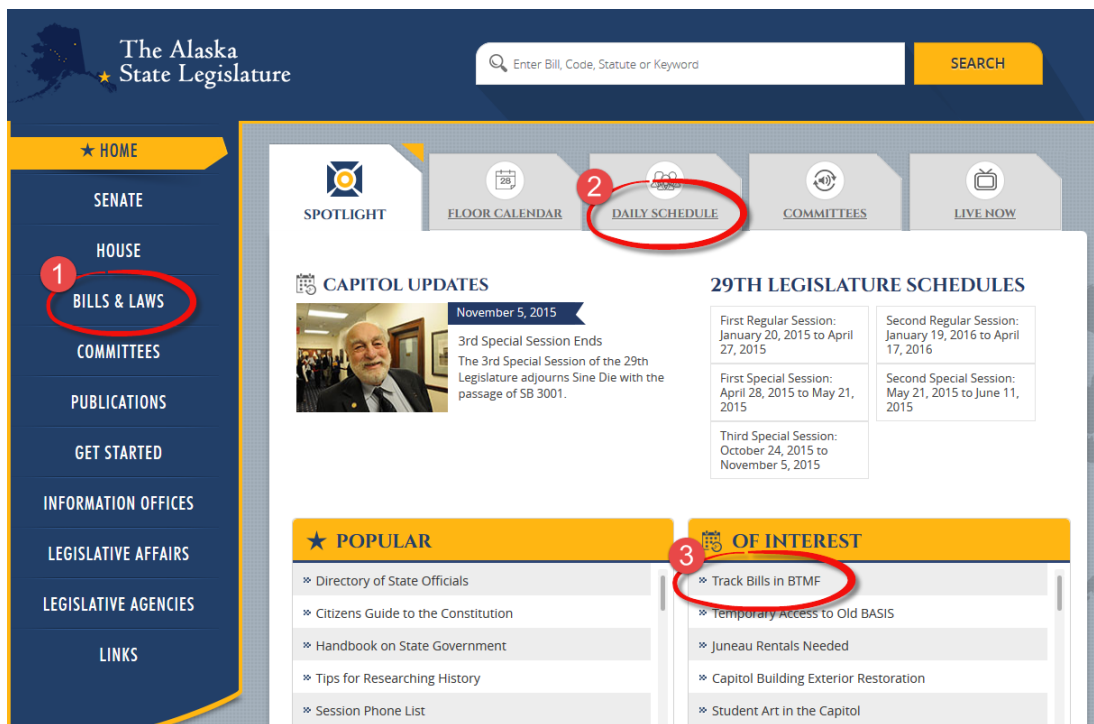
https://www.commerce.alaska.gov/web/Portals/5/pub/CBPL_Board.Commission.Guide.pdf.

BE INFORMED: IF NOT YOU, THEN WHO?

- Ahead of legislative session, select on the record a member who will serve as the point person for legislative activity. In the absence of this person, the division will look to the chair of the board for input and interpretation. If the board is championing a piece of legislation, a history of the meeting minutes reflecting the issues and board's perspective should be compiled by this leader and made available to board members and division management, who will be at every hearing. This research and history will be especially helpful to new board members who are appointed.
- When a bill is filed, division management will alert program staff. The examiner or executive should ensure that their board members are made aware of legislation that is filed that will affect them. With sometimes hundreds of bills to track, analyze, and testify on, division management may not be able to keep the board apprised of

every late-breaking detail. Division management will periodically send updates to staff regarding legislation or request discussion with the board.

- However, it is up to board membership to track the progress of a bill the board is interested in, to call in to testify as desired by the board, submit support or opposition letters as determined by the board, etc. The division will do its best to inform members of scheduled hearings as a courtesy, but board members should utilize the tools identified below to track hearings as well.
- Know where to find your bill using the Alaska State Legislature's website (also known as BASIS): akleg.gov
 1. The **BILLS & LAWS** section on the sidebar links to a searchable list of documents. If you know the bill number, you can search using the bar at the top of the screen.
 2. The **DAILY SCHEDULE** shows all committee activity for the day you choose. It is subject to change, but it is a good starting place to see what is happening where.
 3. The **BTMF**—or Bill Tracking Management Facility – is your best friend when trying to keep up with a bill. Take the time to set up your profile and register the bill you want to track, then you will receive email updates when its status changes or is scheduled for a hearing.



GUIDELINES FOR BOARD MEMBER TESTIMONY

- Encourage the board to become engaged: Track the bill online, participate in hearings, write a letter supporting the board's official position, and discuss the legislation in a public meeting. It is a best practice for organizations to speak with "one voice." Any testimony or correspondence by a board member on behalf of a board must represent deliberation and action taken on the record in a public meeting.
- Staff may not express opinions on behalf of the board or discuss legislation with elected officials without prior arrangements with division management and clearance from the Governor's Legislative Office. If the board has published a resolution or letter regarding the legislation as a result of a vote at a public meeting, staff may provide that document to legislators per department procedures.

- If a board has voted to pursue legislation, this must be an effort by the board membership. Staff cannot participate or assist (aside from providing guidance as needed) unless pre-approved by the Commissioner's Office and Governor's Legislative Office. This is because division staff – whether it be the Director, Deputy Director, an Executive Administrator, Licensing Examiner, or other – represent the Governor in the eyes of the Legislature.
- Individual board members may offer their personal or professional opinions on the legislation by clarifying that while they are appointed to a board, they do not speak on behalf of the board.
- Boards must provide a member to testify telephonically (or in person, if in Juneau) at every hearing when being considered for reauthorization per AS 08.03. Without member interest and advocacy for the board or commission's continuation, it is possible that the sponsor could withdraw the bill and the board could sunset.
- The chair or elected board spokesperson should be prepared to answer questions posed by staff or legislators, testify telephonically (or in person, if in Juneau) on bills that require subject matter expertise or upon request, and otherwise be available on short notice to engage in this process.
- Be sure to differentiate the state licensing board from the industry association. Sometimes, they share the same goals. Sometimes, they do not. Legislators must keep track of a lot of names and organizations, so be sure that you are clear that you represent the State of Alaska.
- Nervous? Don't worry! Please email or call the division Director or Deputy Director to discuss tips or even run through some potential questions/roleplay.

LEGISLATIVE TESTIMONY CALL-IN DO'S AND DON'TS

- **Do** use the streaming video available on the "Live Now" tab on akleg.gov or Gavel Alaska (ktoo.org/gavel) to watch for your bill to come up. The chairman will announce the order of bills at the beginning of the meeting. Callers may be disconnected from the meeting if they call in prior to their bill being taken up.
 - If video streaming is not an option for you, please contact the committee aide to make arrangements to call in early.
 - Once the bill is before the committee, call 844-586-9085, 844-563-9085, 907-586-9085, or 907-563-9085. Give your name, the bill number, and ask to be connected to the _____ Committee.
- **Do not** call in before the bill you are testifying on comes before the committee.
- **Do not** call in for a hearing if you simply want to listen – utilize the streaming video as noted above.
- **Do** use the "mute" function of your phone until called on to testify. If this function is not available on your phone, ask the Legislative Information Office (LIO) moderator to mute your call.
- **Do not** use the "hold" function.
- **Do** try to be in a quiet room without distractions or interruptions. Please treat the important responsibility of testifying with utmost respect and professionalism.
- **Do** remember that everything transmitted over your phone will be broadcast directly into the meeting room and recorded to become part of the permanent record.

- **Do** remember to be in a location with good reception if using a cell phone. Disruptions coming into the meeting via the phone lines will result in all callers being disconnected from the system. This will require testifiers to call back to be reconnected. Turn off your computer or TV speakers if listening online so you do not create an audio “loop.”
- **Do** try to adhere to time limits imposed by the chairman.
- **Do** feel comfortable referring a question to the division if it’s related to a day-to-day administrative matter or the fiscal note provided for a bill.

Remember: There are a limited number of phone lines coming into the Capitol. These lines are also used by LIOs around the state. When all the phone lines are used up, an LIO may not be able to call in with a room full of people.

DIVISION CONTACT INFORMATION:

You can always route questions through the staff to your boards. However, if you have an urgent matter that requires you contact division management quickly:

- CBPL Director – Sylvan Robb: sylvan.rob主@alaska.gov, (907) 465-2524, or (907) 419-7678
- CBPL Deputy Director – Glenn Saviers: glenn.saviers@alaska.gov or (907) 465-2691

Division management is often in meetings or hearings throughout the day during legislative session, so email may sometimes be the quickest way to get a response. If you opt to call, make sure to leave a voicemail and consider following up with an email. Please do understand that while management will get back to you as quickly as possible, they may not always be able to get back to you the same day.

[\(https://removery.com/\)](https://removery.com/)[Get an Estimate \(https://removery.com/get-removal-estimate/\)](https://removery.com/get-removal-estimate/)[Blog \(https://removery.com/blog/\)](https://removery.com/blog/)[/ Tattoo Removal \(https://removery.com/blog/category/tattoo-removal/\)](https://removery.com/blog/category/tattoo-removal/)

Saline Tattoo Removal vs Laser Tattoo Removal



In nearly all cases, laser removal is the most effective way to remove an unwanted tattoo. In rare cases, however, a client may prefer saline removal. We address the pros and cons of saline removal to help you make your decision.

What Is Saline Tattoo Removal?

Saline tattoo removal is a procedure that uses a saline solution to draw tattoo ink or pigment out of the skin. It can be used to lighten or fully remove tattoos, although it is not the most efficient method of removal.

What Saline Solution Is Used for Tattoo Removal?

Saline solution for tattoo removal is made of a mixture of salt and water. Other ingredients vary by brand; some products include additives like aloe vera as well.

What Is Saline Tattoo Removal Best Used For?



While laser is definitely the best method of removing tattoo ink, certain pigments used in *cosmetic* tattoos don't respond well to laser treatment. The ingredients in these pigments can be very different from those used in conventional ink, and laser treatment could change the color of some rather than lightening them. Often a cosmetic tattoo artist will gain training in saline tattoo removal so they can easily remove unwanted permanent makeup tattoos.

Get Removal Estimate(<https://removery.com/get-removal-estimate/>)

Saline treatment also tends to work better for smaller tattoos than larger ones. Since the process creates an open wound, the treated skin is very vulnerable until it heals. A small

tattoo is easier to keep clean and protected.

How deeply the ink was deposited also influences the effectiveness of saline tattoo removal.

“Cosmetic tattoos are usually deposited into the dermis more superficially, where regular tattoos are slightly deeper,” says Amber Curtis, a highly-skilled Removery specialist. Even minor variations in ink depth can make a big difference.

Find a Removery Location Near You

Book a free consultation at a location near you today

Locations(<https://removery.com/tattoo-removal/locations/>)

Traditional Tattoo Edits

Saline removal is sometimes used for conventional tattoo edits, but we would strongly discourage that, due to the issue of migration. Even a skilled removal specialist cannot control exactly where the saline solution goes when they push it into the skin, since they’re dealing with a liquid. It’s hard to target a spot as precisely as a laser could. The solution and ink can therefore migrate to areas that the client didn’t intend to target. Furthermore, ink that was injected deeply can be drawn closer to the surface, making it more visible when previously it had been hard to see.

Eyebrow Tattoo Removal

Saline tattoo removal can effectively eliminate pigments used in brow tattoos. Sometimes people opt for [eyebrow tattoo removal \(https://removery.com/tattoo-removal/eyebrow/\)](https://removery.com/tattoo-removal/eyebrow/) because they don’t like the shape or look of the brows. Eyebrow tattoos are often created using the technique of micropigmentation, which involves depositing tiny dots of pigment into the skin to create fuller brows. The same technique is often used for other permanent makeup as well.

Fade Microblading

The technique of microblading involves making tiny, shallow cuts (<https://www.cosmopolitan.com/style-beauty/beauty/a3884218/eyebrow-microblading-removal-permanent-tattoos/>) into the skin—more like light scrapes, actually—and depositing ink pigment into them to create the appearance of fine hairs. Microblading can be used to

create fuller brows, or it can be used on the scalp to create the appearance of thicker hair. Saline removal may be a viable option depending on the depth and the type of pigment used.

How Does Saline Tattoo Removal Work?

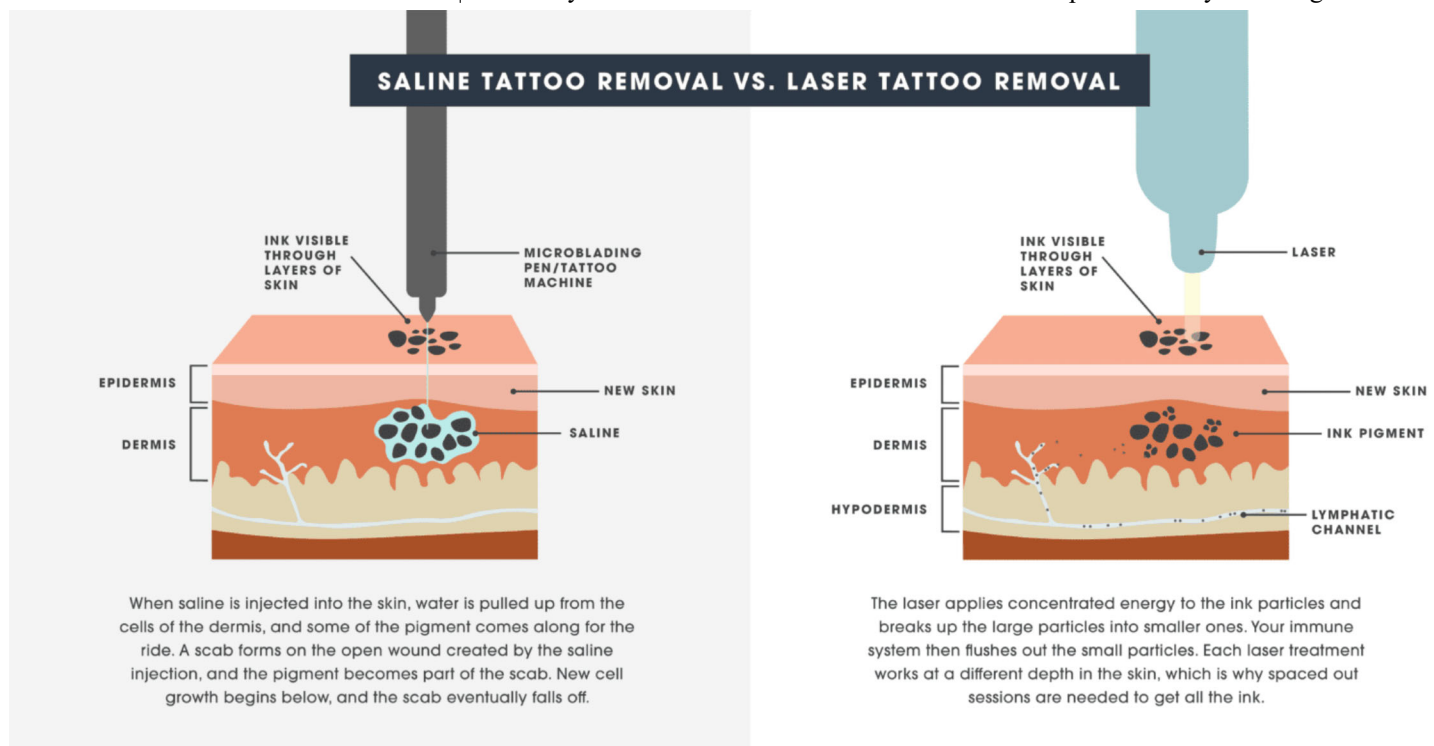
This procedure has some similarities to both tattooing and microblading, since it involves puncturing the skin to deposit a liquid. The specialist is essentially tattooing the area with saline. Usually a tattoo machine is used for saline tattoo removal, although some cosmetic artists may use microblading pens. Tattoo ink has remained in liquid form after being deposited into the skin, and saline tattoo removal uses an osmosis effect to draw it out.

Through osmosis, saline removal persuades the cells to release the ink or pigment. Osmosis ([https://bio.libretexts.org/Bookshelves/Introductory_and_General_Biology/Book%3AGeneral_Biology_\(Boundless\)/5%3A_Structure_and_Function_of_Plasma_Membranes/5.2%3A_Passive_Transport/5.2E%3A_Osmosis](https://bio.libretexts.org/Bookshelves/Introductory_and_General_Biology/Book%3AGeneral_Biology_(Boundless)/5%3A_Structure_and_Function_of_Plasma_Membranes/5.2%3A_Passive_Transport/5.2E%3A_Osmosis)) relies on the principle of equalization. When there is a semipermeable membrane that has a more highly concentrated solution on one side, water tends to move across the membrane toward that concentrated solution in an attempt to create equal conditions on each side. When saline is injected into the skin, water is pulled up from the cells of the dermis, and some of the pigment comes along for the ride. A scab forms on the open wound created by the saline injection, and the pigment becomes part of the scab. New cell growth begins below, and the scab eventually falls off.

Other than creating a temporary wound, the process has no harmful effects on the body. It affects only the specific area treated, unless severe infection occurs. Proper aftercare is essential to prevent that from happening.

This process is often repeated multiple times to achieve the desired results, while allowing time for the skin to heal in between.

Saline Tattoo Removal vs. Laser Tattoo Removal



Saline tattoo removal can take several sessions to lighten the tattoo substantially, and it often doesn't result in complete removal. It's impossible to predict how effective the process will be for any individual. When Amber was taking a class a few years ago, someone dropped a machine and it tattooed a small line of cosmetic ink on her neck. They immediately applied saline in an attempt to remove it, but it did absolutely nothing.

Get Removal Estimate(<https://removery.com/get-removal-estimate/>)

Meanwhile, the leading laser technology like Removery's equipment makes complete removal possible in most cases. Here are some other key points to consider when comparing these two techniques.

- Laser removal requires at least six weeks of recovery time between treatments. With saline removal, the skin must heal for 8 to 10 weeks between sessions.
- With both [tattoo removal methods \(https://removery.com/removal-education/tattoo-removal-methods/\)](https://removery.com/removal-education/tattoo-removal-methods/), clients must follow aftercare instructions carefully to avoid experiencing complications. Because saline tattoo removal creates an open wound, it carries more risk of infection and scarring.
- Both saline and laser removal are typically less uncomfortable than having a tattoo applied, though the area will probably feel tender afterward as it heals.
- Laser has a higher price tag than saline tattoo removal, because it's usually more effective. For example, while eyebrow removal may cost \$70–\$100 with saline removal (<https://www.pmuhub.com/permanent-makeup-removal/cost/>), the cost may increase to \$150–\$400 with laser removal. (Keep in mind that with eyebrows, the hair must be shaved off prior to laser removal, which can sometimes lead people to try saline re

instead.)

- With saline removal, darker inks tend to take longer to remove than lighter hues, whereas with laser removal, darker shades are often the easiest to remove—especially black!

“The most efficient way to remove a tattoo is going to be a laser,” says Amber.

In short, laser works best in most cases, but there are certain situations (primarily involving cosmetic removal) where saline removal could be a better option.

How Many Sessions Does Saline Tattoo Removal Take?

Laser removal takes on average 10 to 12 sessions for complete removal. Saline requires a similar number on average, but it varies greatly. “With saline, it’s a huge guessing game,” says Amber.

What affects the number of sessions needed? For either procedure, it first depends on your removal goal. If you want to remove the tattoo completely, the number of sessions will probably be substantially higher. For example, complete removal might take 11 saline tattoo removal sessions as opposed to 5 or 6 for partial fading. The exact number will depend on how your body responds to the treatment.

The number of sessions needed also depends on the color of the ink being removed. As mentioned, darker shades often take longer than lighter ones with saline removal, whereas with laser, it’s the reverse.

Risks and Side Effects of Saline Tattoo Removal

Saline removal does not cause hypo or hyperpigmentation on certain skin types, but scarring does pose a risk. “You have to be careful about scarring, which is something that lasers do not do, because they don’t break open the skin,” says Amber. Scars are typically permanent if they occur.

Infection also poses a concern, since you’re dealing with an open wound. Keeping the area clean and following aftercare guidelines exactly is crucial.

Get In Contact With Removery Today

Call now to learn more about laser tattoo removal

Call Now(tel:1-866-604-3388)

Can I Perform Saline Tattoo Removal at Home?

Never attempt saline tattoo removal at home—or *any* type of [home tattoo removal](https://removery.com/blog/home-tattoo-removal/) (<https://removery.com/blog/home-tattoo-removal/>), for that matter. Always have a professional do it. Any type of DIY tattoo removal runs a high risk of incurring permanent skin damage, while usually doing little to remove the tattoo.

“Do your research,” says Amber. “You need to find somebody professional that knows what they’re doing. Ask questions; have consultations. Take a look at people’s before-and-afters for their results.” Photos don’t lie! Saline tattoo removal before and after photos will show you the quality of the results you’ll get.

What Is the Healing and Aftercare Process?

Here’s what the saline tattoo removal healing process timeline looks like:

The day of your treatment: The area feels tender and might feel like it’s been burned. It may look very red and swollen.

First several days: The area will scab over.

One week later: The area remains scabbed over.

Two weeks later: The scab has probably fallen off. The skin still looks pink or discolored and appears fragile, as it’s still healing.

One month later: The skin is looking more normal by now.

Two months later: The area has completely healed (hopefully!) and is ready for the next session.

Follow the guidelines of your removal specialist exactly to speed the recovery process. Standard [tattoo removal aftercare](https://removery.com/tattoo-removal/aftercare/) (<https://removery.com/tattoo-removal/aftercare/>) guidelines for saline removal include the following:

- Don't cover the area (unless you work in a place with a higher risk of infection, like a hospital).
- Leave the area alone while healing. Don't wash or pick at it. Avoid lotions and soaps.
- Keep the area out of the sun.
- Avoid activities that cause sweating, as well as immersing the area in water, until the scab has completely fallen off.
- Allow the scab to fall off on its own!
- Apply vitamin E oil as directed by your specialist after the scab falls off.

**Learn About Tattoo Removal
Aftercare**

(<https://removery.com/tattoo-removal/aftercare/>)

Speak with a Removery Specialist about Your Tattoo

If you're unsure which treatment method is best for you, we can help. Book an appointment with a Removery specialist, who will help you determine whether laser is right for you.

Book a Free Consultation(<https://removery.com/tattoo-removal/locations/>)

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Get Started

[\(https://removery.com/blog/saline-tattoo-removal/\) related posts](#)

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Tattoo Removal

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Tattoo Removal

**Tattoo Removal Gone Wrong:
Unsuccessful Tattoo Removal**

(<https://removery.com/blog/tattoo-removal-gone-wrong/>.)

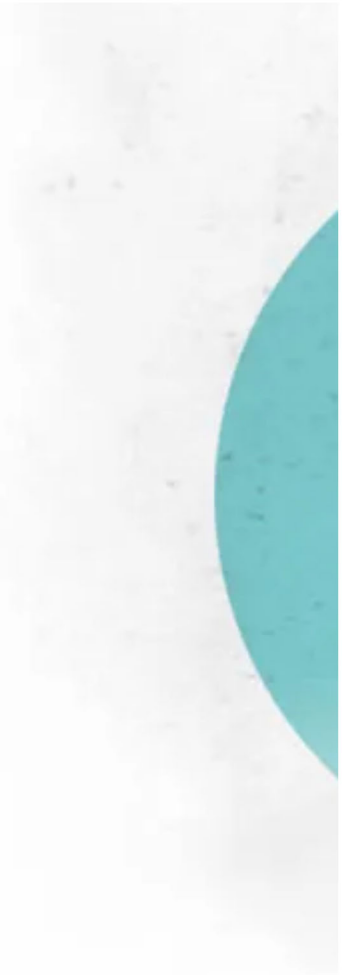
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Answered**

(<https://removery.com/blog/bad-tattoos/>.)

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Kersten Gruber 🏠 • 3 min read

Saline Tattoo Removal and Why It's a Great Option



Tattoos are one of the most creative ways of expressing ourselves available to us. You may have loved the ink when you initially got it but, for whatever reason, you want to get it removed later. With all the tattoo removal options though, it is easy for you to become overwhelmed. Which one should you choose - Do you focus on the cost of removal? How about choosing one that hurts the least? What about your fears of scarring and pigmentation? It is true that when considering tattoo removal, one has a lot to consider. This is where we come in. Keep reading to find out one of the safest methods you can use:

Saline Fading & Removal

In this method, tattoo removal is achieved with the use of a properly manufactured saline solution and a coil or rotary tattoo machine. The technician will go over the tattoo in the same method the tattoo was applied however, this time, instead of ink, the manufactured saline solution is implanted into the skin. Because the solution is hypertonic, it pulls the pigment to the skin's surface. As the body forms a scab post procedure, it expels the ink during the healing process. Just like laser treatments, fading and removal will be accomplished over several treatments. Usually, it doesn't take an expert more than 30-45 min to get done (for a 2 sq inch area).

Benefits of Saline Fading & Removal

- Saline removal is safe for most skin types, as opposed to alternative methods that can lead to blistered, hypo/hyper pigmented or scarred skin.
- It tends to be less painful than laser removal and typically, even less painful than when the tattoo was first applied.
- Saline removal is not colour specific, unlike laser, meaning you may have better success treating commonly difficult to remove colours (red, orange, yellow, pale blue and white).
- Saline removal actually removes ink from the body, whereas a method such as laser removal, breaks up the ink into smaller fragments and may push pigment deeper into the skin, only to then be processed by your lymphatic system.
- You can easily get another tattoo on the same place once it has healed up, which may not be possible with methods like surgical removal or if scar issue has been left behind by laser treatments.

Alternative Methods for Tattoo Removal

1. Dermabrasion is a painful procedure where the top layer of the skin is removed during multiple treatments. The vulnerable skin can become infected and will also retain scars.
2. Intense Pulsed Light Therapy (IPL) involves the tattooed skin being exposed to high intensity light. It is less painful than the conventional laser removal methods. It will require multiple treatments which can be expensive over time.
3. Tattoo removal creams might be inexpensive but will cause more damage due to the acids or bleaching chemicals in them. The results might not be satisfactory and can result in itchy, scarred, peeling and pigmented skin.
4. Acid peels will dissolve several layers of skin and often result in harmful side effects, such as permanent scarring and severe chemical burns.
5. Surgical removal of your tattoo leaves behind scarred, discolored, and even bumpy skin. At times, the surgeon can't go deep enough, which means tattoo will be removed partially.
6. Cryosurgery involves freezing off layers of the skin, as you would a wart or a mole. It has varied results and can lead to scarring and damage to surrounding healthy skin.

All of this is not to say that saline removal is not without it's risks, however, given that it is being performed in the same manner the tattoo was originally applied, with a natural, non-toxic, non-acidic solution, the risks of damage to the skin and body are minimal in comparison to other methods.

Saline removal sounds like a safer and healthier method of tattoo removal. Do you agree? Let us know in the comments section!

#tattooremoval #permanentmakeupremoval #eyebrowremoval #otheroptions #saline #tattoofading #safetattooremoval

MEMORANDUM

State of Alaska Department of Law

TO: Sara Chambers, Director, Alaska Division of Corporations,
Business and Professional Licensing

DATE: November 01, 2022

FROM: Patty C. Burley
Assistant Attorney General
Commercial and Fair Business Section

FILE NO.: 2022102526

TEL. NO.: (907) 269-6600

SUBJECT: Barbers and Hairdressers Board Questions

The Board has requested assistance on several issues which this memo will attempt to address. Please see the individual responses below.

LASERS AND DERMA LIGHTS

The board requested assistance discerning the place of “lasers” in the practice of esthetics and how to define what is acceptable for use by licensees. Specifically, due to the growing market for “medical spa” treatments, the Board is seeking assistance clarifying what is within the esthetician scope of practice under current law and what further guidance should be adopted in regulation.

History

The Board first discussed lasers in 2005. That year the Board voted unanimously to allow estheticians to perform “cold” laser hair removal while “hot” laser hair removal was to be performed only by a physician or individual under a physician’s supervision. The rationale was that laser hair removal, like Botox injections, dermabrasion and chemical peels went below the skin level and thus violated the definition and authority of estheticians.

In January of 2010, the Board again reviewed the use of lasers by estheticians. Specifically, the Board looked at three documents:

1. A letter dated March 1, 2005 from former Board Director Rick Younkins
2. Alaska Medical Board Guidelines regarding the use of Lasers and Laser Surgery dated October 25, 2007; and
3. American College of Surgeries (ST-11- Statement of Surgery Using Lasers, Pulsed Light, Radiofrequency Devices and other Techniques.

The Board was concerned the definition for esthetician allowed for the use of appliances and cosmetic preparations and could thus be inferred to allow for the use of lasers. The board went on to focus on the definition of “ablative” and “non-ablative” treatments and

recommended that for the purposes of AS 08.13.220(5), “appliances” or “cosmetic preparations” used to stimulate the face, scalp or neck, not include devices, tools or chemicals that are designed to excise, burn, or vaporize the skin below the derma-epidermal junction.”

The Board never followed up on this idea and never pursued the statute change.

In January of 2011, the Board requested a definition in the regulations showing that use of lasers is not part of an esthetician’s scope of practice. The Board felt estheticians cannot use lasers, only the medical community can. However, again the Board failed to follow-up.

The Board has not formally taken up the issue since despite several work sessions on regulations and statutes.

AAG Response

Both laser hair removal and derma lights penetrate below the skin surface and thus are prohibited to be performed by estheticians under the current definition in AS 08.13.220(5) which limits esthetician work to the outer layers of the scalp, face or neck.

A short term response is to issue a statement on the Board’s website containing something to the effect of:

Alaska Statute 08.13.220(5) defines esthetics as the use of hands, appliances, cosmetic preparations, antiseptics, or other lotions in massaging, cleansing, stimulating, or similar work on the scalp, face, or neck, including skin care, makeup and temporary removal of superfluous hair, for cosmetic purposes.

Lasers, derma lights and similar procedures penetrate below the skin surface and can involve areas beyond the scalp, face, or neck and are therefore outside the scope of practice of an esthetician’s license.

FIBROBLASTING, DERMAPLANING, CRYOSKIN

The Board agreed that fibroblasting, dermaplaning, and cryoskin are not within the scope of practice of the Board of Barbers and Hairdressers and may be the practice of medicine and surgery. The Board seeks guidance on issuance of a position statement that these practices require supervision by an appropriate licensed health care provider.

Background

The FDA has issued a warning against fibroblasting for aesthetic reasons. Currently most states require that only a plastic surgeon or medical professional perform this procedure due to the potential for 2nd and 3rd degree burns, nerve damage, and/or scarring. This procedure targets below the skin layer.

Cryoskin also targets below the skin and there have been reports of serious injuries. The FDA warns against this therapy stating there is no good research to support its effectiveness but the risks, however, are significant. Aside from the obvious (frostbite and burns), the FDA warns that asphyxiation can occur when nitrogen vapors reduce the amount of oxygen in an enclosed room. There may be an issue in Alaska laws regarding the storage of liquid nitrogen and the fact that cryosurgical units and accessories are considered medical devices.

Dermaplaning, however, is a different matter. Members of the public have twice come before the Board for guidance and been told by the Board that dermaplaning can be performed by licensed barbers. Presumably this was stated because the definition for “barbering” under AS 08.13.220(2) states that barbering includes *shaving*, trimming, or cutting, styling, curling, permanent waving... the beard or hair of a living person. While dermaplaning touts itself as more than shaving, at its most basic level it is shaving using a No. 10 surgical blade held at a 45-degree angle. Dermaplaning does not go below the surface of the skin. The Board discussed drafting a position paper on dermaplaning during its November 2019 meeting but never followed through.

AAG Response

As with laser hair removal and derma lights, fibroblasting and cryoskin penetrate below the skin surface and thus are prohibited from being performed by estheticians under the current definition in AS 08.13.220(5) which limits esthetician work to the outer layers of the scalp, face or neck.

A short term response is to issue a statement on the Board’s website much like the one suggested above. Additionally, the Board can advise that the FDA has warned against both procedures and can insert links to the FDA warnings.

Dermaplaning, however, is not prohibited for estheticians or barbers. While barbers traditionally do ‘shaving’ nothing in current state statutes or regulations prohibits an esthetician from using ‘appliances’ to remove superfluous hair from the face or neck. A review of how other states regulate dermaplaning shows a lack of consistency. States like Florida and Arizona allow estheticians to perform dermaplaning. Other states, such as California, prohibit the practice by all professions. While still other states, such as Colorado and Connecticut, only allow dermaplaning under an advanced esthetician license which has instruction specific not only to the procedure but to blood borne pathogens.

MICRONEEDLING, MICROCHANNELING AND NANONEEDLING

In 2019 the Alaska legislature adopted terminology which placed microneedling under the definition of tattooing. On June 12, 2018, the FDA announced that microneedling

devices are a Class II device to be used by or under the supervision of medical practitioners. The Board is concerned the placement of microneedling under tattooing is in error. The Board is seeking guidance on how to direct practitioners until a fix can be completed.

Background

At its January 29 and January 30, 2019 meeting, the Board reviewed a legal memorandum written on March 16, 2018 regarding Tattooing and Permanent Cosmetic Coloring. It was the conclusion of the writer, Claire E. Radford, that the inclusion of the words “microblading” and “microneedling” in the tattooing definition did not limit performance of those practices to a person who holds a license for tattooing. Those services could be performed by a person holding a license in permanent cosmetic coloring if done for the limited purpose of stimulating hair and makeup. Given the information provided, the Board decided to proceed with a statute change to update the definition of tattooing in AS 08.13.220(13).

When the Board met in October of that year, they recommended removing microneedling from the definition of tattooing.

At some point in 2019, the Board drafted a position paper stating they were researching the topic of microneedling but in the meantime it was their opinion that microneedling should not be performed by tattooers or permanent cosmetic colorists nor should it be included in the definition of tattooing. The Board recommended that tattooers and permanent cosmetic colorists not perform microneedling but that it be left within the scope of medical professionals. The Board did not adopt the position paper.

In May of 2020, the Board voted unanimously to remove microneedling from the definition of tattooing stating it is a medical procedure. However, despite the vote, no other affirmative steps were taken.

In May of 2021, the Board again discussed microneedling. The Board felt microneedling should be performed at a nurse’s level.

In October of 2021, the Board reviewed the definition of tattooing and again discussed the need to remove microneedling from the definition noting that this has been on their project list for 3 years but has not been sent to the legislature.

AAG Recommendation

In regards to microneedling, the FDA only recommends that it be done by a health care provider who is specially trained in microneedling. The FDA does not mandate it. Moreover, not all microneedling products are medical devices, it all depends on the length and sharpness of the needles. The FDA allows estheticians to perform microneedling if they are using devices of less than 0.3mm.

Microneedling, microchanneling, and nanoneedling, however, go below the surface of the skin and therefore in Alaska are prohibited from being performed by an esthetician. Currently, however, a tattooist may legally perform the service of microneedling in this State even though it does not involve any coloring.

The Board has been aware of the error in the statute defining tattooing for a few years and has suggested the legislative fix to remove microneedling from tattooing several times, however, the Board has not sent this matter for a legislative change. Until that occurs, the problem will continue to persist. Because all of these procedures are below the skin's surface level, they may not be performed by estheticians. Until the legislative fix is actually pursued, the issue will continue to be a problem.

CRAZY HAIR

The Board discussed the practice of “crazy hair” which requires a mobile shop license as well as adherence to the state’s safety and sanitation requirements. The Board is seeking guidance on the posting of an advisory on the Division website.

History

In October of 2019, the Board stated it did not believe that crazy hair activities warrant a professional license and would, therefore, take no action against those practicing those services. The Board elected to have one of its members draft a position statement. In May of 2020, the Board adopted a statement regarding Crazy Hair which was posted on the Division’s website. In May of 2021, the Board requested the statement be once again posted on the Division’s website.

The statement essentially said that providers of “crazy hair” at fairs, festivals, parties, and bazaars may not be licensed professionals and the use of those services puts the user at risk for: head lice and bed bugs, viral infections, bacterial infections, fungus, ringworms, hair and skin damage. It is unclear whether this statement was ever actually placed on the Division website.

AAG Recommendation

Alaska’s requirement that those providing hair services be licensed to do so and that they have a mobile shop license mirrors that of other states. However, I could find no state that posts a warning on their websites about carnival/festival hair activities but that does not mean that Alaska cannot. The wording on that would be up to the Board. There are reasons why a salon has sanitary requirements, provided the Board refer to those reasons, the Board would be fine in posting an informational notice on the Division website. For example: Getting your hair done at a festival may sound like fun but keep in mind that the practice of hairdressing in Alaska is licensed and regulated for health and sanitary reasons. Persons who make changes to the style, color, and/or texture of hair in this state for a fee require a license which indicates they have sufficient training and knowledge.

Booths at a carnival, festival or fair require a mobile shop license. In Alaska, hairdressers and shops are required to prominently post these licenses. Check that you see these licenses before you or your child get any services. If you have concerns, please contact...

Long-Term Resolution

This Board has been struggling with the number of cosmetic procedures that seem to constantly be developed. In the end, if they penetrate below the surface of the skin, an esthetician may not perform that service. However, Alaska's statute defining esthetician is outdated and does not keep up with the actual practice in most states. Moreover, some of the procedures which the Board is concerned about are taught as part of a standard esthetician curriculum at several more established locations and are also performed at a number of Lower 48 locations where estheticians may go to get some of the apprenticeship hours that are required by Alaska. That adds to the confusion; especially when the closest states – Washington and Oregon, allow several of the procedures to be performed by estheticians, albeit, under an advanced esthetician license.

Some states have a more robust licensing structure which differentiates and separately licenses and/or certifies the different disciplines. For example, in Idaho, an individual can obtain the following licenses: barber; barber-stylist; cosmetologist; electrologist; esthetician; nail technician; makeup artist; barber, barber-stylist instructor, etc.

Other states, like Washington and Oregon, simply have an Advanced or Master Esthetician License. These states regulate the testing, supervision, and other activities of advanced estheticians to ensure that those estheticians performing work with lasers, plasma, needling, etc., are properly trained and that someone in the medical field works in these offices. Oregon includes a catch-all provision that any new technology not specifically mentioned in their code but which the advanced esthetician intends to utilize is also covered (in other words they must demonstrate significant proficiency in that technology before they can use it).

Finally, some states, like California and New York, review each new procedure as they emerge and regulate each one either adding it to the items that can be performed by an esthetician, an advanced esthetician, a doctor, or are banned throughout the state.

What is currently clear is that this Board's approach of addressing items in their minutes is not working. Minutes are difficult to sift through and are not generally something the public goes to for guidance. Moreover, position statements, while helpful, are not widely seen in an ever emerging industry. Statutes and regulations would go much further towards stemming the issues which this Board has faced since at least 2005.

My office is available and willing to assist. Samples of statutes and regulations from other states could be provided for review and discussion by this Board if this Board

would like to consider updating the current framework under which it regulates these practices.

Thank you for the opportunity to assist. Should there be any additional questions or if there is anything else I can assist with, please do not hesitate to reach out.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

BOARD OF BARBERS AND HAIRDRESSERS

P.O. Box 110806
Juneau, AK 99811-0806
Main: 907.465.2550
Fax: 907.465.2974

November 14, 2022

Position Statement Regarding Estheticians Providing Services at the Dermal Skin Layer

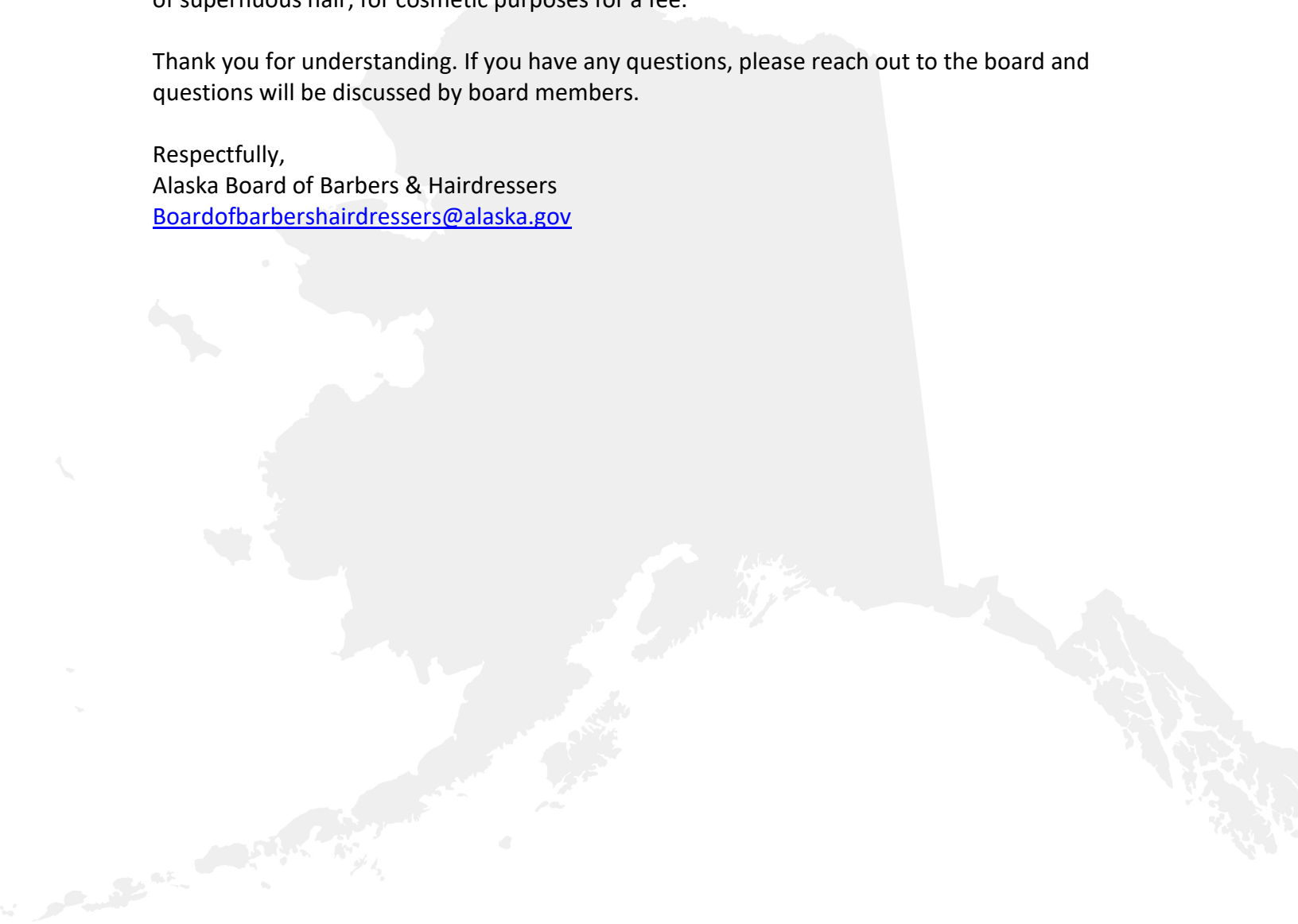
The Board of Barbers & Hairdressers met November 14, 2022 and made the following statement addressing estheticians providing services that go below the dermal layer of skin.

Estheticians may provide services that does not go below the dermal layer of skin.

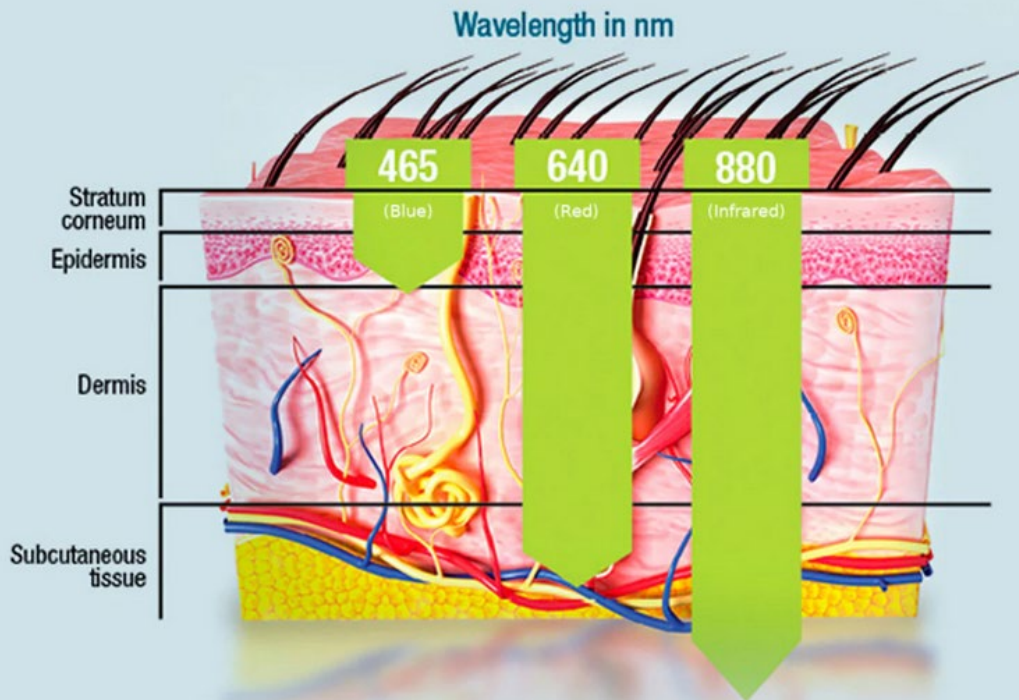
In accordance with Alaska statute 08.13.220(5) "esthetics" means the use of the hands, appliances, cosmetic preparations, antiseptics, or lotions in massaging, cleansing, stimulating, or similar work on the scalp, face or neck, including skin care, make-up, and temporary removal of superfluous hair, for cosmetic purposes for a fee.

Thank you for understanding. If you have any questions, please reach out to the board and questions will be discussed by board members.

Respectfully,
Alaska Board of Barbers & Hairdressers
Boardofbarbershairdressers@alaska.gov



Depth of Light Energy Penetration





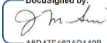
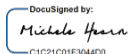
THE STATE
of **ALASKA**

Department of Commerce, Community,
and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

550 West Seventh Avenue, Suite 1500
Anchorage, AK 99501-3567
Main: 907.269.8160
Fax: 907.269.8156

MEMORANDUM

DATE: April 25, 2023
TO: Board of Barbers & Hairdressers
THRU: Sonia Lipker, Chief Investigator 
FROM: Michele Hearn, Investigator 
RE: Investigative Report for the May 15, 2023 Meeting

The following information was compiled as an investigative report to the Board for the period of September 16, 2022 thru April 25, 2023; this report includes cases, complaints, and intake matters handled since the last report.

Matters opened by the Paralegals in Anchorage and Juneau, regarding continuing education audits and license action resulting from those matters are covered in this report.

OPEN - 38

<u>Case Number</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Status Date</u>
BARBER			
2023-000315	Violation of licensing regulation	Intake	04/20/2023
2022-000448	Unlicensed practice or activity	Complaint	05/16/2022
2020-000385	Unlicensed practice or activity	Investigation	07/06/2021
ESTHETICIAN			
2022-000154	Unlicensed practice or activity	Investigation	02/22/2023
2022-000249	Unlicensed practice or activity	Investigation	06/22/2022
HAIRDRESSER			
2023-000272	Unlicensed practice or activity	Intake	04/04/2023

2022-000451	Unlicensed practice or activity	Complaint	05/27/2022
2022-000565	Violation of licensing regulation	Complaint	06/22/2022
2022-000820	Unlicensed practice or activity	Complaint	11/29/2022
2023-000045	Unlicensed practice or activity	Complaint	01/12/2023
2023-000271	Unlicensed practice or activity	Complaint	04/04/2023
2020-000277	Unlicensed practice or activity	Investigation	07/06/2021
2021-000676	Unlicensed practice or activity	Investigation	08/31/2022
2022-000338	Practice beyond scope	Investigation	09/20/2022

INSTRUCTOR

2021-000531	Violation of licensing regulation	Investigation	08/30/2022
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SCHOOL

2021-000860	Unlicensed practice or activity	Complaint	05/16/2022
2021-000883	Unlicensed practice or activity	Complaint	05/16/2022
2023-000219	Violation of licensing regulation	Complaint	03/14/2023
2021-000550	Violation of licensing regulation	Investigation	01/23/2023
2021-001088	Violation of licensing regulation	Investigation	01/23/2023
2022-000149	Violation of licensing regulation	Investigation	01/23/2023

SHOP OWNER

2022-000153	Unlicensed practice or activity	Complaint	02/12/2022
2022-000388	Unlicensed practice or activity	Complaint	08/03/2022
2022-000566	Unlicensed practice or activity	Complaint	06/22/2022
2022-000808	Unlicensed practice or activity	Complaint	08/29/2022
2022-000817	Unlicensed practice or activity	Complaint	08/31/2022
2023-000044	Violation of licensing regulation	Complaint	01/30/2023
2023-000109	Violation of licensing regulation	Complaint	02/06/2023
2020-000735	Unlicensed practice or activity	Investigation	11/30/2020
2022-000466	Unlicensed practice or activity	Investigation	04/17/2023
2023-000025	Unlicensed practice or activity	Investigation	03/09/2023

TATTOOING AND PERMANENT COSMETIC COLORING

2022-000931	Unlicensed practice or activity	Complaint	11/22/2022
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TATTOOIST

2023-000316	Violation of licensing regulation	Intake	04/20/2023
2022-000291	Unlicensed practice or activity	Investigation	03/13/2023
2022-000362	Unlicensed practice or activity	Investigation	09/14/2022
2022-000415	Unlicensed practice or activity	Investigation	11/14/2022
2022-000736	Violation of licensing regulation	Investigation	03/09/2023
2022-000821	Unlicensed practice or activity	Investigation	02/22/2023

Closed - 78

<u>Case #</u>	<u>Violation Type</u>	<u>Case Status</u>	<u>Closed</u>	<u>Closure</u>
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APPRENTICE

2021-001215	Violation of licensing regulation	Closed-Complaint	03/20/2023	No Action - No Violation
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BARBER

2022-000469	Unlicensed practice or activity	Closed-Intake	10/05/2022	Other (See Abstract)
2022-000842	Unlicensed practice or activity	Closed-Intake	10/06/2022	Incomplete Complaint
2022-000053	Unlicensed practice or activity	Closed-Investigation	03/08/2023	Advisement Letter

ESTHETICIAN

2022-000913	Unlicensed practice or activity	Closed-Intake	11/03/2022	Incomplete Complaint
2023-000212	Violation of licensing regulation	Closed-Intake	04/20/2023	Incomplete Complaint
2021-001152	Unlicensed practice or activity	Closed-Complaint	04/19/2023	No Action - No Violation
2022-000191	Practice beyond scope	Closed-Complaint	01/23/2023	No Action - Lack of Jurisdiction
2022-000245	Practice beyond scope	Closed-Complaint	01/03/2023	No Action - No Violation
2022-000574	Violation of licensing regulation	Closed-Complaint	02/01/2023	No Action - No Violation

2021-001178	Unlicensed practice or activity	Closed-Investigation	01/24/2023	Advisement Letter
2022-000205	License application problem	Closed-Investigation	01/23/2023	Advisement Letter
2022-000223	Unlicensed practice or activity	Closed-Investigation	03/30/2023	Advisement Letter
2022-000246	Practice beyond scope	Closed-Investigation	03/14/2023	Advisement Letter
2022-000296	Practice beyond scope	Closed-Investigation	03/08/2023	Advisement Letter
2022-000340	Violation of licensing regulation	Closed-Investigation	01/18/2023	Advisement Letter
2022-000341	Violation of licensing regulation	Closed-Investigation	01/23/2023	Advisement Letter
2022-000453	Unlicensed practice or activity	Closed-Investigation	04/19/2023	Advisement Letter
2022-000513	Compliance Inspection	Closed-Investigation	03/20/2023	Advisement Letter
2022-000569	Violation of licensing regulation	Closed-Investigation	12/19/2022	Advisement Letter
2022-000570	Violation of licensing regulation	Closed-Investigation	02/09/2023	Advisement Letter
2022-000889	Unlicensed practice or activity	Closed-Investigation	02/07/2023	Advisement Letter
2022-000890	Unlicensed practice or activity	Closed-Investigation	02/07/2023	Advisement Letter
2022-000891	Unlicensed practice or activity	Closed-Investigation	02/07/2023	Advisement Letter
2022-000892	Unlicensed practice or activity	Closed-Investigation	02/07/2023	Advisement Letter

HAIRDRESSER

2022-001091	Violation of licensing regulation	Closed-Intake	12/19/2022	Incomplete Complaint
2022-001107	Unlicensed practice or activity	Closed-Intake	12/27/2022	Incomplete Complaint
2022-001195	Unlicensed practice or activity	Closed-Intake	03/08/2023	Incomplete Complaint
2023-000224	Incompetence	Closed-Intake	04/18/2023	Incomplete Complaint
2022-000047	Unlicensed practice or activity	Closed-Investigation	01/24/2023	Advisement Letter

INSTRUCTOR

2022-000669	Violation of licensing regulation	Closed-Intake	11/18/2022	No Action - Lack of Jurisdiction
2021-001031	Violation of licensing regulation	Closed-Investigation	10/19/2022	Advisement Letter
2022-000273	Unlicensed practice or activity	Closed-Investigation	03/22/2023	Advisement Letter

2022-000583	Violation of licensing regulation	Closed-Investigation	01/30/2023	Advisement Letter
MANICURIST				
2021-000814	Unlicensed practice or activity	Closed-Investigation	01/24/2023	Advisement Letter
2021-000815	Unlicensed practice or activity	Closed-Investigation	01/24/2023	Advisement Letter
2022-000331	Unlicensed practice or activity	Closed-Investigation	12/06/2022	Advisement Letter
NAIL TECHNICIAN				
2022-000454	Unlicensed practice or activity	Closed-Investigation	01/23/2023	Advisement Letter
SCHOOL				
2022-000822	Unlicensed practice or activity	Closed-Intake	12/15/2022	Incomplete Complaint
SHOP OWNER				
2022-000903	Violation of licensing regulation	Closed-Intake	12/27/2022	Incomplete Complaint
2022-001123	Violation of licensing regulation	Closed-Intake	01/31/2023	Incomplete Complaint
2021-000262	Unlicensed practice or activity	Closed-Complaint	02/28/2023	No Action - No Violation
2021-000786	Violation of licensing regulation	Closed-Complaint	10/05/2022	No Action - No Violation
2021-000884	Violation of licensing regulation	Closed-Complaint	02/28/2023	No Action - No Violation
2021-001107	Unlicensed practice or activity	Closed-Complaint	12/20/2022	No Action - No Violation
2022-000009	Violation of licensing regulation	Closed-Complaint	12/29/2022	No Action - No Violation
2022-000065	Violation of licensing regulation	Closed-Complaint	02/01/2023	No Action - No Violation
2022-000904	Unlicensed practice or activity	Closed-Complaint	01/18/2023	No Action - No Violation
2022-000912	Unlicensed practice or activity	Closed-Complaint	01/18/2023	No Action - Insufficient Evidence
2021-000959	Unlicensed practice or activity	Closed-Investigation	02/09/2023	Advisement Letter
2021-001142	Unlicensed practice or activity	Closed-Investigation	03/02/2023	No Action - No Violation
2021-001146	Unlicensed practice or activity	Closed-Investigation	12/05/2022	Advisement Letter

2022-000069	Unlicensed practice or activity	Closed-Investigation	03/30/2023	Advisement Letter
2022-000071	Unlicensed practice or activity	Closed-Investigation	03/09/2023	Advisement Letter
2022-000122	Unlicensed practice or activity	Closed-Investigation	01/26/2023	Advisement Letter
2022-000208	License application problem	Closed-Investigation	03/08/2023	Advisement Letter
2022-000314	Violation of licensing regulation	Closed-Investigation	03/14/2023	Advisement Letter
2022-000412	Unlicensed practice or activity	Closed-Investigation	01/31/2023	Advisement Letter
2022-000572	Violation of licensing regulation	Closed-Investigation	03/09/2023	Advisement Letter
2022-000582	Unlicensed practice or activity	Closed-Investigation	01/23/2023	Advisement Letter
2022-000751	Unlicensed practice or activity	Closed-Investigation	01/18/2023	Advisement Letter
2022-000816	Unethical conduct	Closed-Investigation	03/08/2023	Advisement Letter
2023-000024	Compliance Inspection	Closed-Division Inspection	01/11/2023	
2023-000043	Compliance Inspection	Closed-Division Inspection	01/26/2023	Closed - Case Opened
2023-000049	Compliance Inspection	Closed-Division Inspection	01/18/2023	Compliance
2023-000069	Compliance Inspection	Closed-Division Inspection	01/26/2023	Compliance
2023-000108	Compliance Inspection	Closed-Division Inspection	02/22/2023	Closed - Case Opened

TATTOOING AND PERMANENT COSMETIC COLORING

2020-001041	Unlicensed practice or activity	Closed-Investigation	11/21/2022	Advisement Letter
2021-001324	Unlicensed practice or activity	Closed-Investigation	10/10/2022	Advisement Letter

TATTOOIST

2022-000813	Unlicensed practice or activity	Closed-Intake	10/04/2022	Incomplete Complaint
2022-000814	Unlicensed practice or activity	Closed-Intake	10/10/2022	Incomplete Complaint
2023-000185	Unlicensed practice or activity	Closed-Intake	04/20/2023	Incomplete Complaint
2022-000020	Unlicensed practice or activity	Closed-Complaint	12/13/2022	No Action - No Violation

2022-000339	Unlicensed practice or activity	Closed-Complaint	01/23/2023	No Action - No Violation
2021-001151	Unlicensed practice or activity	Closed-Investigation	10/19/2022	Advisement Letter
2022-000189	Violation of licensing regulation	Closed-Investigation	03/30/2023	Advisement Letter
2022-000414	Unlicensed practice or activity	Closed-Investigation	12/08/2022	Advisement Letter
2022-000523	Unlicensed practice or activity	Closed-Investigation	10/13/2022	Advisement Letter

END OF REPORT



PROBATION REPORT

DATE: February 14, 2022
TO: Board of Barbers and Hairdressers
THRU: Jennifer Summers, Senior Investigator
FROM: Katrina Eldred, Probation Monitor
SUBJECT: Probation Report for the February 27, 2023 Board Meeting

The following is a complete list of individuals on probation for this Board. There are currently **three (3)** individuals being monitored on probation. **One (1)** was released from probation since the last report. Individuals **non-compliant** or on **“hold”** with their probation are noted next to **“**”** with explanations listed below

<u>NAME</u>	<u>Case Number</u>	<u>Probation Start</u>	<u>Probation End</u>
**Saeed McKoy	2019-001074	08/20/2019	Lapsed
**Elijah Young	2020-001049	10/06/2020	Suspended
**Dennis Millhouse	2020-000109	01/25/2022	01/25/2024

RELEASE FROM PROBATION:

<u>NAME</u>	<u>Case Number</u>	<u>Probation Start</u>	<u>Probation End</u>
Isidoro Martinez envisions International, LLC	2020-000954	10/06/20	01/19/2023

SPECIAL NOTES:

- **Saeed McKoy**- Barber Temporary license #HADB11794 lapsed 12/15/2022. Renewal application was denied.
- **Elijah Young**- Esthetician license #HADC19515 was suspended on 4/1/2022, and the full civil fine of \$7,000 was invoked. She has made payments totaling \$350. Last payment was received October 2022. Her current fine balance is \$6,650.
- **Dennis Millhouse**- Unsuspended portion of civil fine \$2,000 was due on 7/24/22. No payments received.

END OF REPORT

EXECUTIVE SESSION MOTION

I, _____, move that the Alaska State Board of Barbers & Hairdressers enter into executive session in accordance with AS 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing _____
Board staff to remain during the session.

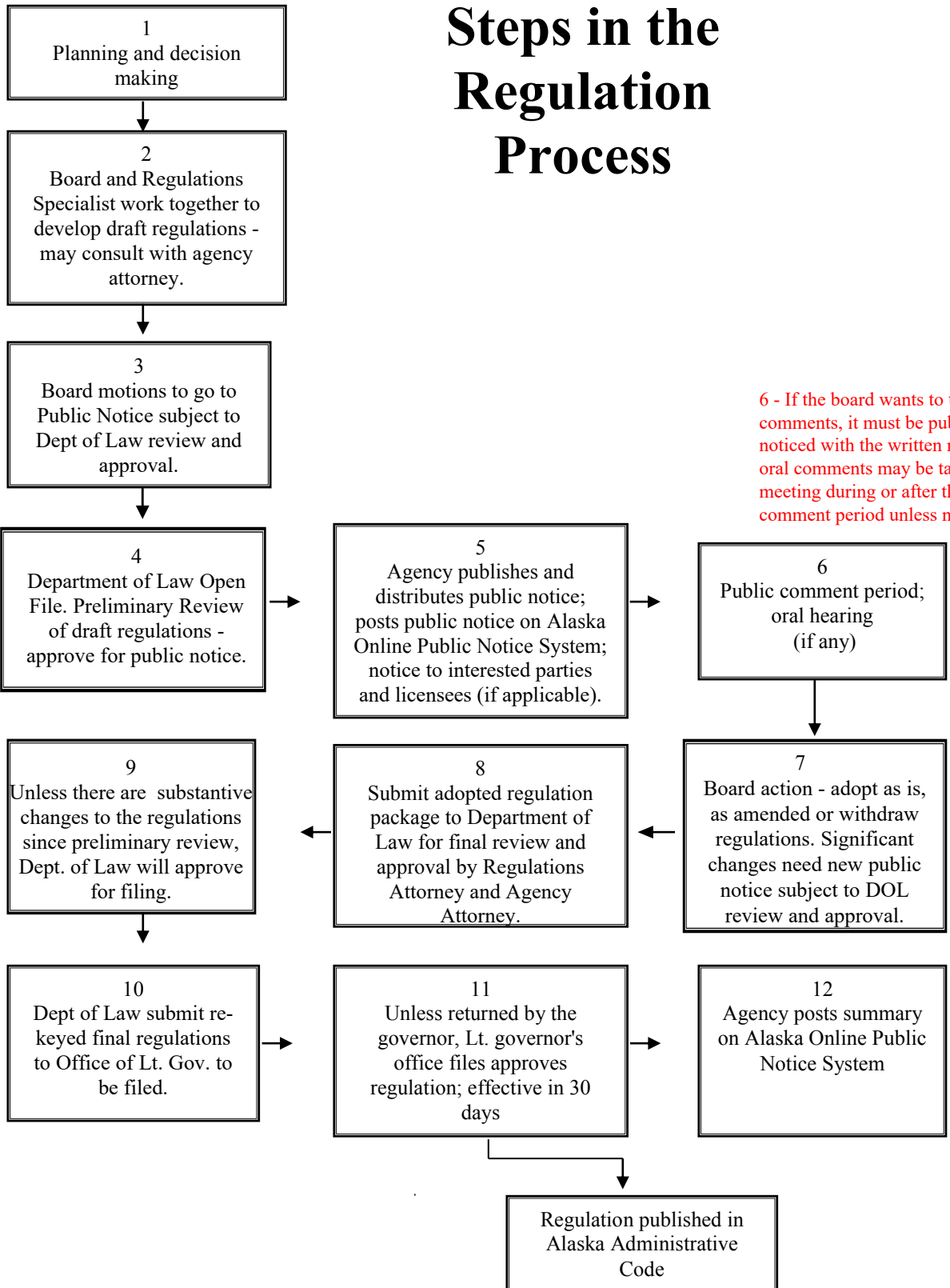
Authority: AS 44.62.310(c), Government meetings public

The following subjects may be considered in executive session:

- 1. matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity;**
- 2. subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;**
- 3. matters which by law, municipal charter, or ordinance are required to be confidential;**
- 4. matters involving consideration of government records that by law are not subject to public disclosure.**

REGULATION ADOPTION PROCESS

Steps in the Regulation Process



2 - Consultation with the agency attorney would occur if the board would like assistance with a difficult or controversial subject, otherwise it's not usually necessary.

4- It is at this point that the attorney may contact the Reg Spec for more information, clarification, or changes that would need to be made.

6 - If the board wants to take oral comments, it must be public noticed with the written notice. No oral comments may be taken at a meeting during or after the public comment period unless noticed.

Regulation Changes Questionnaire


Division/Board: Barbers/Hairdressers Meeting Date: _____

Regulation change being proposed: 12 AAC 09.002, 09.005, 09.

General topic of the regulation: _____

This worksheet is designed to help the board think through an anticipated regulations project. Staff will provide this worksheet to the board at the time a regulations project is being approved for public notice. This information will be used to develop a FAQ to be posted on the board's web page to help the public understand the project. Staff will submit the completed worksheet with the draft board minutes to the Regulations Specialist within 10 days of the meeting and provide a copy to the supervisor. Appropriate staff will be assigned to complete this worksheet if a division regulation. **NOTE: Use a separate worksheet for each section being proposed.**

1. Is the new regulation needed to comply with new legislation or federal law? If yes, effective date of new statute/federal law: _____ <i>(If appropriate, ensure the new regulation is in line with federal requirements prior to initiating a regulation project.)</i>	Yes	No <input checked="" type="checkbox"/>
2. Does the change add a new license type? If yes: Does it affect current licensees? Do current licensees/non-licensees already perform the service for which the new license type is required? Is there a grace period or date explicitly included in the regulation to allow for a transition period?	Yes	No <input checked="" type="checkbox"/>
3. Does it change the qualifications or requirements of an existing license? If yes, does it affect current licensees?	Yes	No <input checked="" type="checkbox"/>
4. Does it affect continuing education/competency requirements? If yes: Does it add additional requirements or hours? Does it clarify existing regulations? Is there an effective date in the future to give licensees time to comply?	Yes	No <input checked="" type="checkbox"/>
5. Is it a fee change or does it create a new fee? If yes: Does it move fees in the centralized regulations to a new number, therefore affecting other program regulations?	Yes	No <input type="checkbox"/>
6. Does it make changes to the requirements of licensees? If yes: All licensees Certain licensees (List: _____) Initial licensees	Yes	No <input checked="" type="checkbox"/>
7. In addition to interested parties, who should receive the public notice? (All licensees or certain license types?) Schools, students, instructors, shops		

<p>8. In addition to the 30-day minimum written notice, does the board request a public hearing? If yes, when and where.</p> <p>No</p>
<p>9. What will the regulation do?</p>
<p>10. What is the demonstrated public need or purpose of this regulation?</p> <p>This is being done in response to the move, October 1, 2022, to computerized examinations and all exam fees being paid directly to the examination administrator Prov.</p>
<p>11. What is the known or estimated cost of the new regulation to a private person, another agency, or a municipality (see Step 3 of the <i>Steps in the Regulation Process...</i>)?</p>
<p>12. What <u>positive</u> consequences may this regulation have on public or private people, businesses, or organizations?</p> <p>Examination candidates no longer have to wait a month or more to be scheduled for an examination or re-examination if they failed. Examination candidates no longer have to wait 3-4 weeks to receive score results. Examination candidates no longer have to travel to three testing locations (ANC, FAI, JNU) which eliminates travel, lodging, meals, and local transportation costs. Examination candidates in outlying areas have the option to have their exam administered on a personal computer. Additional foreign language examinations are available.</p>
<p>13. What <u>negative</u> consequences may this regulation have on public or private people, business, or organizations?</p>
<p>14. If any <u>negative</u> consequences, please address the reasons why the public need for this change outweighs the negative impact.</p> <p>N/A</p>
<p>15. List any additional questions or comments that may arise from the public during the comment period. Include a response to the questions.</p>
<p>16. What type of notification outlining the changes will be required once the regulation is adopted? Check appropriate boxes.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start; margin-top: 10px;"> <div style="text-align: center;"> <p>FAQ on website</p> <p><small>* Cost to board for mailing letter</small></p> </div> <div style="text-align: center;">  </div> <div style="text-align: center;"> <p>Email to licensees <input type="checkbox"/></p> </div> <div style="text-align: center;"> <p>*Letter to licensees</p> </div> </div>

Staff submitting this worksheet: Cynthia Spencer Date submitted to Regulations Specialist: _____

From: Spencer, Cynthia R (CED)
To: Maiquis, Jun C (CED)
Cc: Dumas, Melissa L (CED); Bowman, Reid T (CED); Saviers, Glenn A (CED); Whitcomb, Wanda E (CED)
Subject: BAH Regulation Change Request - Removal of Examination Fees
Date: Tuesday, December 27, 2022 11:28:00 AM
Attachments: jmaoe002.png
image003.png
image004.png
Importance: High

Hello Jun.

Apologies for the lateness of this email.

Effective October 1, 2022 the BAH program moved to computerized examination administration with exam administrator Prov. This move to computerized testing eliminates the need for candidates to submit the \$60.00 exam fee and/or the \$25.00 exam postponement fee.

Could you please begin a regulation project removing the exam fees from the following:

- 12 AAC 09.002(b)(4)
- 12 AAC 09.002(c)(1) – by removing (b)(4)
- 12 AAC 09.002(d)(1) – by removing (b)(4)
- 12 AAC 09.002(i)(1) – by removing (b)(4)
- 12 AAC 09.002(m)(4)
- 12 AAC 09.002(o)(1) – by removing (4)
- 12 AAC 09.002(q)(1) – by removing (4)
- 12 AAC 09.005(a) – by removing and amending the following:

12 AAC 09.005. APPLICATION FOR EXAMINATION. (a) A completed, notarized application for 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 must be received by the division ~~assigned occupational licensing functions at least 30 days before the next examination date and must~~ (1) be on the form provided by the department; (2) include documents that verify that the applicant meets the requirements of AS 08.13.080; and (3) include the applicable fees established in 12 AAC 02.140. (b) Only an application that is complete 30 days before an examination will be considered for an examination. ~~An applicant whose application is not complete by that time must wait until the next administration of the examination.~~ (c) An applicant scheduled to take an examination who is unable to appear may postpone the examination by notifying the department before the examination and submitting the exam postponement fee required in 12 AAC 02.105(8). (d) An applicant who fails an examination or fails to appear for an examination and who desires to be rescheduled for a future examination must ~~apply in accordance with (a)(1) and (a)(3) of this section no later than 30 days before the date of the examination that the applicant wishes to take.~~ (e) An application is considered abandoned if the applicant has not taken an examination within one year after the date of initial application.

- 12 AAC 09.010 – repeal regulation as board no longer sets exam dates
- 12 AAC 09.075 – by removing and amending the following:

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 (c) of this section, if applicable.

(c) ~~At least 30 days before the next scheduled examination date,~~ an applicant who fails the written examination three times or more shall provide documentation to the board of successful completion of remedial training before the

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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. The applicant shall complete the remedial training in a school approved by the board or an 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.

Authority: AS 08.13.030

AS 08.13.040

AS 08.13.090

- 12 AAC 02.140(4), (5), and (7) – BAH is no longer charging fees for the written examination and the practical examination was removed (changed requirements 12/2020) and replaced with a proficiency exam administered by the school or apprentice instructor.

Another regulation that may need amending is 12 AAC 09.020; however I am not sure exactly what would need to be updated for computerized exams as I believe most of the requirements in the regulation are still met with computerized testing procedures at test locations.

Please contact Wanda or I with any questions or concerns.

Respectfully,

Cynthia Spencer

Occupational Licensing Examiner

[Div. of Corporations, Business and Professional Licensing](#)

[Professional Licensing](#)



Chapter 02. General Occupational Licensing Functions.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 02.140 is amended to read:

12 AAC 02.140. Board of Barbers and Hairdressers. (a) The following fees are established:

(1) nonrefundable application fee for

(A) initial license, \$150;

(B) courtesy license, \$80;

(2) temporary permit fee, \$100;

(3) fee for student permit, student instructor permit, or apprenticeship that is valid

for

(A) one year, \$100;

(B) two years, \$125;

(4) **repealed** ____ / ____ / ____ [BARBER, NON-CHEMICAL BARBER,

HAIRDRESSER, ESTHETICIAN, ADVANCED MANICURIST, OR INSTRUCTOR

WRITTEN EXAMINATION FEE, \$60];

(5) barber, non-chemical barber, hairdresser, esthetician, or instructor practical examination fee, \$60;

(6) temporary license fee, \$100;

(7) **repealed** ____ / ____ / ____ [WRITTEN EXAMINATION FEE FOR

PRACTITIONERS OF BODY PIERCING, TATTOOING, OR PERMANENT COSMETIC COLORING, \$60];

(8) temporary shop license fee, \$100;

(9) courtesy license for practitioners of hairdressing, body piercing, tattooing, or permanent cosmetic coloring, \$80;

(10) advanced manicurist endorsement one-time fee, \$20.

(b) The following license fees are established for all or part of the initial biennial license period:

(1) barber, non-chemical barber, or hairdresser, \$180;

(2) esthetician, \$180;

(3) instructor, \$260;

(4) shop owner, \$260;

(5) school and school owner combined, \$660;

(6) manicurist, \$180;

(7) repealed 6/8/2016;

(8) practitioner of tattooing or permanent cosmetic coloring, \$180;

(9) practitioner of body piercing, \$180;

(10) practitioner of hair braiding, \$180.

(c) The following biennial license renewal fees are established:

(1) barber, non-chemical barber, or hairdresser, \$180;

(2) esthetician, \$180;

(3) instructor, \$260;

(4) shop owner, \$260;

(5) school and school owner combined, \$660;

(6) manicurist and advanced manicurist endorsement, \$180;

(7) repealed 6/8/2016;

(8) practitioner of tattooing or permanent cosmetic coloring, \$180;

(9) practitioner of body piercing, \$180;

(10) practitioner of hair braiding, \$180. (Eff. 11/20/86, Register 100; am 10/1/88, Register 107; am 5/28/93, Register 126; am 5/17/95, Register 134; am 5/30/97, Register 142; am 7/30/99, Register 151; am 11/14/99, Register 152; am 1/14/2001, Register 157; am 6/21/2001, Register 158; am 12/6/2002, Register 164; am 6/7/2009, Register 190; am 6/28/2009, Register 190; am 8/5/2011, Register 199; am 5/15/2013, Register 206; am 8/15/2015, Register 215; am 8/16/2015, Register 215; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am 1/1/2019, Register 228; am ____/____/____, Register ____)

Authority: AS 08.01.065 AS 08.13.185

(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

(3) 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) a 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 08.13.100
	AS 08.13.030	AS 08.13.082	AS 08.13.120
	AS 08.13.070	AS 08.13.090	AS 08.13.180

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 a courtesy license to practice body piercing must have a sponsor who holds a permanent license to practice body piercing in this state. An applicant for a courtesy license to practice tattooing must have a sponsor who holds a permanent license to practice tattooing in this state. An applicant for a courtesy license to practice permanent cosmetic coloring must have a sponsor who holds a permanent license to practice permanent cosmetic coloring in this state.

(b) The board will issue a courtesy license to an applicant who meets the requirements of AS 08.01.062(a) and who, at least 30 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 one courtesy license 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. APPLICATION FOR EXAMINATION. (a) A completed, notarized application for 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 must be received by the division assigned occupational licensing functions at least 30 days before the next examination date and must

- (1) be on the form provided by the department;
- (2) include documents that verify that the applicant meets the requirements of AS 08.13.080; and
- (3) include the applicable fees established in 12 AAC 02.140.
- (b) Only an application that is complete 30 days before an examination will be considered for that examination. An applicant whose application is not complete by that time must wait until the next administration of the examination.
- (c) An applicant scheduled to take an examination who is unable to appear may postpone the examination by notifying the department before the examination and submitting the exam postponement fee required in 12 AAC 02.105(8).
- (d) An applicant who fails an examination or fails to appear for an examination and who desires to be rescheduled for a future examination must apply in accordance with (a)(1) and (a)(3) of this section no later than 30 days before the date of the examination that the applicant wishes to take.
- (e) An application is considered abandoned if the applicant has not taken an examination within one year after the date of initial application.

Authority: AS 08.13.030 AS 08.13.040 AS 08.13.080

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

12 AAC 09.010. EXAMINATION DATES. The department will publish notice of the date and place of each administration of the examination at least 45 days before the examination.

Authority: AS 08.13.030

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.

(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, or permanent cosmetic coloring if the trainer meets the requirements of 12 AAC 09.168;
 - (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 no later than 30 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

(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, or permanent cosmetic coloring if the trainer meets the requirements of 12 AAC 09.168;
 - (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 no later than 30 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) Upon completion of a course of instruction under this section, an apprentice is eligible to take the appropriate examination in the license category of barbering, non-chemical barbering, hairdressing, or esthetics. ~~The instructor shall notify the board of an apprentice completing the course of instruction not later than 30 days after the completion by submitting records of apprenticeship in accordance with this section.~~
- (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.

Regulation Changes Questionnaire

Division/Board: Barbers/Hairdressers

Meeting Date: Feb 27, 2023

Regulation change being proposed: 12 AAC 09.002 & 09.106

General topic of the regulation: Instructor License Requirements

This worksheet is designed to help the board think through an anticipated regulations project. Staff will provide this worksheet to the board at the time a regulations project is being approved for public notice. This information will be used to develop a FAQ to be posted on the board's web page to help the public understand the project. Staff will submit the completed worksheet with the draft board minutes to the Regulations Specialist within 10 days of the meeting and provide a copy to the supervisor. Appropriate staff will be assigned to complete this worksheet if a division regulation. **NOTE: Use a separate worksheet for each section being proposed.**

<p>1. Is the new regulation needed to comply with new legislation or federal law?</p> <p>If yes, effective date of new statute/federal law: _____</p> <p><i>(If appropriate, ensure the new regulation is in line with federal requirements prior to initiating a regulation project.)</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>2. Does the change add a new license type?</p> <p>If yes:</p> <p>Does it affect current licensees?</p> <p>Do current licensees/non-licensees already perform the service for which the new license type is required?</p> <p>Is there a grace period or date explicitly included in the regulation to allow for a transition period?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>3. Does it change the qualifications or requirements of an existing license?</p> <p>If yes, does it affect current licensees?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<p>4. Does it affect continuing education/competency requirements?</p> <p>If yes:</p> <p>Does it add additional requirements or hours?</p> <p>Does it clarify existing regulations?</p> <p>Is there an effective date in the future to give licensees time to comply?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>5. Is it a fee change or does it create a new fee?</p> <p>If yes:</p> <p>Does it move fees in the centralized regulations to a new number, therefore affecting other program regulations?</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>6. Does it make changes to the requirements of licensees?</p> <p>If yes:</p> <p>All licensees</p> <p>Certain licensees (List: <u>Instructor by waiver of examination</u>)</p> <p>Initial licensees</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>7. In addition to interested parties, who should receive the public notice? (All licensees or certain license types?)</p> <p>Not certain, applies to out of state applicants</p>	

8. In addition to the 30-day minimum written notice, does the board request a public hearing? If yes, when and where. No
9. What will the regulation do? Removes requirements for out of state instructors to hold an individual aspect (barber, hairdresser, etc.) license in AK before an application for instructor license submitted. Currently, instructors by waiver of exam must first obtain an individual aspect license; costs for this on AK side is \$330.00, however this does not include additional VOL and transcript costs to applicant. Once individual aspect license is issued, the individual may then apply for an instructor license; AK costs are \$410.00, however this does not include additional VOL and transcript costs to applicant.
10. What is the demonstrated public need or purpose of this regulation? Obtaining an AK instructor license has been cost prohibitive and creates barriers to what should be a fairly quick licensing process.
11. What is the known or estimated cost of the new regulation to a private person, another agency, or a municipality (see Step 3 of the <i>Steps in the Regulation Process...</i>)? Unknown
12. What <u>positive</u> consequences may this regulation have on public or private people, businesses, or organizations? Will allow smoother and less costly licensing for out of state qualified individuals.
13. What <u>negative</u> consequences may this regulation have on public or private people, business, or organizations? N/A
14. If any <u>negative</u> consequences, please address the reasons why the public need for this change outweighs the negative impact. N/A
15. List any additional questions or comments that may arise from the public during the comment period. Include a response to the questions. Can't think of any....
16. What type of notification outlining the changes will be required once the regulation is adopted? Check appropriate boxes. <div style="display: flex; justify-content: space-between;"> FAQ on website <input type="checkbox"/> Email to licensees <input checked="" type="checkbox"/> *Letter to licensees <input type="checkbox"/> </div> <small>* Cost to board for mailing letter</small>

Staff submitting this worksheet: Cynthia Spencer Date submitted to Regulations Specialist: 02/06/2023

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 09.056 – 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. Application for examination**
- 06. (Repealed)**
- 10. Examination dates**
- 15. (Repealed)**
- 20. Identification of applicant**
- 25. Conduct for examinations**
- 30. (Repealed)**
- 35. (Repealed)**
- 38. (Repealed)**

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;

(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), (b)(3), (b)(4), and (b)(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), (b)(3), and (b)(7) of this section;
- (2) who complies with the requirements of (i)(2) of this section; and
- (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) pays the written examination fees established in 12 AAC 02.140;
- (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), (b)(3), and (b)(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

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;
- (3) verification of a current barber, hairdresser, manicurist, or esthetician practitioner license in this state; and
- (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;
- (5) verification of 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.

(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.

Chapter 09. Board of Barbers and Hairdressers.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

12 AAC 09.002(b)(4) is repealed:

(4) **repealed** ____ / ____ / ____ [PAYS THE WRITTEN EXAMINATION FEE ESTABLISHED IN 12 AAC 02.140];

12 AAC 09.002(c)(1) is amended to read:

(1) submits the documents and fees required by (b)(1), (b)(3), [(b)(4),] and (b)(7) of this section;

12 AAC 09.002(d)(1) is amended to read:

(1) submits the documents and fees required by (b)(1), (b)(3), [(b)(4),] and (b)(7) of this section;

12 AAC 09.002(i)(1) is amended to read:

(1) submits the documents and fees required by (b)(1), (b)(3), [(b)(4),] and (b)(7) of this section;

12 AAC 09.002(j)(2) is repealed:

(2) **repealed** ____ / ____ / ____ [WHO COMPLIES WITH THE REQUIREMENTS OF (i)(2) OF THIS SECTION];

12 AAC 09.002(m)(4) is amended to read:

(4) **repealed** ____/____/____ [PAYS THE WRITTEN EXAMINATION FEES ESTABLISHED IN 12 AAC 02.140];

12 AAC 09.002(o)(1) is amended to read:

(1) submits the documents and fees required by (b)(1), (3), [(4),] and (7) of this section;

12 AAC 09.002(q)(1) is amended to read:

(1) submits the documents and fees required by (b)(1), (3), [(4),] and (7) of this section;

(Eff. 5/10/96, Register 138; am 3/19/99, Register 149; am 7/23/2000, Register 155; am 7/13/2002, Register 163; am 11/27/2002, Register 164; am 12/6/2002, Register 164; am 1/14/2004, Register 169; am 10/14/2006, Register 180; am 12/24/2006, Register 180; am 4/21/2010, Register 194; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am 3/30/2019, Register 229; am 12/6/2020, Register 236; am ____/____/____, Register _____)

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 09.004(a)is amended to read:

12 AAC 09.004(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 [AN APPLICANT FOR

A COURTESY LICENSE TO PRACTICE BODY PIERCING MUST HAVE A SPONSOR WHO HOLDS A PERMANENT LICENSE TO PRACTICE BODY PIERCING IN THIS STATE. AN APPLICANT FOR A COURTESY LICENSE TO PRACTICE TATTOOING MUST HAVE A SPONSOR WHO HOLDS A PERMANENT LICENSE TO PRACTICE TATTOOING IN THIS STATE. AN APPLICANT FOR A COURTESY LICENSE TO PRACTICE PERMANENT COSMETIC COLORING MUST HAVE A SPONSOR WHO HOLDS A PERMANENT LICENSE TO PRACTICE PERMANENT COSMETIC COLORING IN THIS STATE].

12 AAC 09.004(c) is amended to read:

(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** [ONE] courtesy **licenses** [LICENSE] in a calendar year. (Eff. 12/6/2002, Register 164; am 9/24/2014, Register 211; am 3/30/2019, Register 229; am ____/____/_____, Register _____)

Authority: AS 08.01.062 AS 08.13.030 AS 08.13.070

12 AAC 09.005 is repealed and readopted to read:

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 must

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

be on the form provided by the department and include all verification documents necessary to meet the requirements of AS 08.13.080;

- (2) complete the relevant written examination administered by PROV following notification from the department of pre-authorization for examination;
- (3) follow the rules and procedures for examination set by PROV; and
- (4) pay all applicable fees for the examination directly to PROV as requested and as they become due.

(b) An application for licensure under this section must be complete to be considered for examination eligibility.

(c) An applicant scheduled to take an examination who is unable to appear may postpone the examination by notifying PROV in advance in accordance with the PROV cancellation and rescheduling policy.

(d) An applicant who fails an examination or fails to appear for an examination and who wants to reschedule for a future examination must contact PROV directly to do so and must adhere to the relevant policy and procedures as are set by PROV.

(e) An application is considered abandoned if the applicant has not taken an examination within one year after the date of initial application.

(Eff. 11/2/81, Register 80; am 4/18/82, Register 82; am 8/12/87, Register 103; am 9/30/87, Register 103; am 5/20/88, Register 106; am 10/16/88, Register 108; am 11/28/88, Register 108; am 5/10/96, Register 138; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am 12/28/2008, Register 188; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am 3/30/2019, Register 229; am 12/6/2020, Register 236; am ____/____/_____, Register _____)

Authority: AS 08.13.030 AS 08.13.040 AS 08.13.080

Editor's note: information on the relevant written examinations referred to in 12 AAC 09.005 may be obtained from PROV <https://provexam.com> or by contacting support@provexam.com

12 AAC 09.010 is repealed:

12 AAC 09.010. Examination dates. Repealed ____/____/_____. (Eff. 11/2/81, Register 80; am 4/18/82, Register 82; am 9/30/87, Register 103; repealed ____/____/_____, Register ____)

12 AAC 09.075(c) is amended to read:

(c) **An** [AT LEAST 30 DAYS BEFORE THE NEXT SCHEDULED EXAMINATION DATE, AN] applicant who fails the written examination three times or more shall provide documentation to the board of successful completion of 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. The applicant shall complete the remedial training in a school approved by the board or an apprenticeship program approved by the board and shall hold a valid student permit during the training as required in AS 08.13.180.

(Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 5/10/96, Register 138; am 7/23/2000, Register 155; am 12/28/2008, Register 188; am 4/21/2010, Register 194; am 12/6/2020, Register 236; am ____/____/_____, Register ____)

Authority: AS 08.13.030 AS 08.13.040 AS 08.13.090

12 AAC 09.106(d) is amended to read:

(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;

[(3) verification of a current barber, hairdresser, manicurist, or esthetician practitioner license in this state];

(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) verification of 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.

(Eff. 11/16/2004, Register 172; am 12/24/2006, Register 180; am 4/21/2010, Register 194; 

9/24/2014, Register 211; am 4/5/2018, Register 226; am 3/30/2019, Register 229; am

_____/_____/_____, Register _____)


Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.070

12 AAC 09.185(h) is amended to read:

(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 no later than **five** [30] days after the completion of training, documenting the theory hours and practical operations.

(Eff. 11/16/2004, Register 172; am 12/24/2006, Register 180; am 4/21/2010, Register 194; am 9/24/2014, Register 211; am 4/5/2018, Register 226; am 3/30/2019, Register 229; am ____/____/_____, Register _____)

Authority: AS 08.13.030 AS 08.13.082

 AAC 09.190(*l*) is repealed:

(*l*) Repealed ____/____/____ [UPON COMPLETION OF A COURSE OF INSTRUCTION UNDER THIS SECTION, AN APPRENTICE IS ELIGIBLE TO TAKE THE APPROPRIATE EXAMINATION IN THE LICENSE CATEGORY OF BARBERING, NON-CHEMICAL BARBERING, HAIRDRESSING, OR ESTHETICS. THE INSTRUCTOR SHALL NOTIFY THE BOARD OF AN APPRENTICE COMPLETING THE COURSE OF INSTRUCTION NOT LATER THAN 30 DAYS AFTER THE COMPLETION BY SUBMITTING RECORDS OF APPRENTICESHIP IN ACCORDANCE WITH THIS SECTION.]

(Eff. 10/21/82, Register 84; am 8/12/87, Register 103; am 2/28/88, Register 105; am 5/20/88, Register 106; am 10/1/93, Register 127; am 4/23/98, Register 146; am 7/23/2000, Register 155; am 7/13/2002, Register 163; am 11/16/2004, Register 172; am 10/14/2006, Register 180; am 12/24/2006, Register 180; am 8/10/2012, Register 203; am 6/8/2016, Register 218; am 4/5/2018,

Register _____, _____ 2023 PROFESSIONAL REGULATIONS

Register 226; am 6/21/2018, Register 226; am 3/30/2019, Register 229; am 12/6/2020, Register 236; am ____/____/_____, Register _____)

Authority: AS 08.13.030 AS 08.13.082

Possible options for licensees to include additional services to their existing license(s) - requires further consideration by the Board

**DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF BARBERS AND HAIRDRESSERS**

CONDENSED MINUTES OF THE MEETING HELD NOVEMBER 14, 2022.

By the authority of AS 08.01.070(2) and AS 08.86.030 and in compliance with the provisions of AS 44.62 Article 6, a scheduled meeting of the Board of Barbers and Hairdressers was held via teleconference/videoconference, November 14, 2022.

These are DRAFT minutes prepared by the staff of the Division of Corporation, Business and Professional Licensing. These minutes have not been reviewed or approved by the board.

Date:	November 14, 2022
Time:	9:00 a.m. - Noon
Location:	Zoom/Video Conference
Attending:	Sara Chambers, Director Michelle McMullin, Tina Taylor, Connie Dougherty, Kelsie McGraw, OLE Wanda Whitcomb, OLE Cynthia Spencer, Alison Osborne, Regulation Specialist
Absent:	N/A – Two board member vacancies

1. Agenda Item # 1 - Call to Order/Roll Call @ 9:03 a.m.	
Brief Discussion:	N/A
	Khitsana Sypakanphay not in attendance - joined at 9:08 a.m. – no ethics disclosures
2. Agenda Item # 2 - Review Agenda	
Brief Discussion:	Board reviewed agenda – no amendments.
Motion:	<i>Chair Michelle McMullen polled the board; hearing no disagreements the agenda was approved.</i>
3. Agenda Item # 3 - Ethics Disclosure	
Brief Discussion:	Board reviewed provided documentation. No violations to report
4. Agenda Item # 4 – Administrative Business: A. Review/Edit/Approve October 3, 2022, Meeting Minutes	
Brief Discussion:	Board reviewed October 3, 2022, meeting minutes. The board had no edits for staff.
Motion:	1 st Tina Taylor – 2 nd Connie Daugherty: Approve October 3, 2022, meeting minutes as written.

Recorded Votes:	Michelle McMullin	Tina Taylor
	Connie Dougherty	Kelsie McGraw
	Khitsana Sypakanphay	
Action Items:	OLE Spencer will load meeting minutes to DocuSign for signatures after the meeting concludes	
5. Agenda Item #5 – New Business: A. Legislative Guidance		
Brief Discussion:	<p>The board reviewed provided documentation. OLE’s Cynthia Spencer and Wanda Whitcomb offered one on one assistance with setting up a Bill Tracking Management Facility (BTMF) account if needed. OLE Spencer also informed the board that new 2022 guidance would be provided shortly, however the basic information would be the same.</p> <p>Chair McMullin asked if meetings and hearings were still be conducted via Zoom. OLE Spencer stated Zoom meetings were still occurring.</p> <p>Chair McMullin asked the board if they had any questions. Ms. Taylor stated the provided packet was helpful; no other board members had questions or statements.</p> <p>Chair McMullin urged board members to start working to find bill sponsors immediately so they could set up meetings, etc., prior to the February 2023 meeting.</p>	
5. Agenda Item #5 – New Business: B. Legislative Proposals i - v		
Brief Discussion:	<p>Chair McMullin reviewed previous legislative projects that had errors which affected licenses (i.e., barbers not being able to provide hair braiding); she urged all board members to review any proposed legislation carefully to avoid unnecessary issues. Chair McMullin stated a major point of this current project is to remove microneedling from the definition of tattooing. Ms. Taylor stated also adding back hair braiding to the barber licenses is also very important.</p> <p>Chair McMullin stated a focus of this legislative project is to remove limiting language currently in statute and allow the board regulatory authority to change training requirements, including hours, curriculums, and the options to obtain more training through apprenticeship programs.</p> <p>The board reviewed provided previous 2019, 2021, and 2022 proposed legislation, 2019 statute and regulation worksheet, and template letter to legislators. The board briefly discussed statutes limiting their ability to change hour requirements and curriculums; they also briefly discussed regulation changes.</p> <p>OLE Spencer reviewed previous manicuring legislation and requested the board to be mindful of allowing time for those looking to upgrade to a “nail technician” license as these individuals may need to submit/provide work experience and pass the National Nail</p>	

	<p>Technician written examination. OLE Spencer also asked the board to consider changing the 12-hour manicurist license to a “natural nails” only license, which would allow those licensees not interested in upgrading to a nail technician license to continue to provide services albeit limited.</p> <p>OLE Spencer also reminded the board that the written examinations are all computerized and to take into consideration the \$90.00 cost to licensees.</p> <p>OLE Spencer briefly reviewed regulation project process that would begin when proposed legislation was finalized. OLE Spencer informed the board that regulation projects would not begin until legislation was moving through its processes.</p> <p>OLE Whitcomb, reviewed the process of finding a sponsor for proposed bills and reminded the board that it is their responsibility to move legislation through its processes.</p> <p>Director Chambers agreed with OLE Whitcomb’s statement and urged the board to start moving on their projects and stated the board has done well on previous legislative audits, however, as these are public safety and imminent public safety concern issues which have been discussed for several years are not acted on, the next legislative audit may not go well. Director Chambers urged to board to commit to and coordinate their search for a bill sponsor as it would be better to have one sponsor working on the project rather than several sponsors in an effort to save time and resources.</p> <p>Chair McMullin asked the board if anyone wanted to volunteer to be lead on this project and work with her. Ms. Taylor stated she would work with Chair McMullin on these projects.</p> <p>Director Chambers reminded the board to be very clear in this meeting to their procedure for this project and she would be available to support the board.</p> <p>Director Chambers and Chair McMullin informed the board that the current election results would be certified November 23, 2022, so that would be a good date to start the bill sponsor search. Director Chambers informed the board that legislative committee members wouldn’t be finalized until mid-end January 2023 and recommended labor and commerce committees in the House or Senate would be the first place this bill would be heard.</p> <p>The board continued to briefly discuss proposed legislation and agreed that all items in the 2019, 2021, and 2022 proposed legislation, 2019 statute and regulation worksheets needed to move forward.</p>
Action Items:	<p>OLE Spencer will email the “letter to legislators” to all board members in Word so they could edit the letter as needed.</p> <p>Michelle McMullin and Tina Taylor will work together and be leads/main contacts for legislation projects.</p>

6. Agenda Item #6 – Old Business: A. Department of Law Memo Re: Lasers, Dermal Lights, Fibroblasting, Dermaplaning, Cryoskin, Microneedling, Microchanneling, Nanoneedling, and Crazy Hair

Brief Discussion:

Director Chambers reviewed the DOL Memo with the board and reminded the board that they had asked for assistance from DOL during their October 2022 meeting. Director Chambers informed the board that issues may be tied into updating statutes and regulations which will take time to update, however, in the short term this memo will assist the board in creating position statements advising licensees.

Director Chambers stated the DOL memo is somewhat confidential and only for the board's information; this is not a document to share but could be used as a basis for their own memo or document. Director Chambers also stated that the board needs to take action as many of these issues have been under discussion for many years with the board taking no action; she urged to board to step up and do more than address these matters during meetings, action needs to happen, and information provided to licensees.

Director Chambers suggested the board work with the Medical and Nursing boards to create a matrix of services, license types, and who can provide specific services with and/or without supervision. The board and Director Chambers briefly discussed creating an "advanced/master" esthetician license which would allow a licensee to provide more advanced esthetic services.

The board continued to review and discussed the memo, addressed services, equipment, edits to drafted position statements, and enforcement/investigative processes.

Chair McMullin asked Kelsie McGraw to research other states licensing requirements of estheticians and report back to the board. Ms. McGraw agreed to start this project and report back to the board. Chair McMullin stated she had a few contacts with the Washington board she would forward onto Ms. McGraw. Chair McMullin stated she would be available to meet with Ms. McGraw to assist. Chair McMullin reminded the board that no more than two (2) board members could meet to discuss board business/projects outside of board meetings.

OLE Spencer reviewed statutes Sec 08.13.080 and 08.13.082 with the board; these are the statutes partially limiting training hour and curriculum changes.

Action Items:

Kelsie McGraw will research other state esthetician training and requirements. Ms. McGraw email staff information to be on the February 2023 meeting agenda

6. Agenda Item # 6 – Old Business: Position Statements

Brief Discussion:

The board discussed the memo provided by the Department of Law and drafted position statements.

The board discussed tattooists providing microblading and microneedling services. Khitsana Sypakanphay stated that microblading is considered tattooing as it deposits pigments into the skin.

	<p>OLE Spencer reminded the board that they had wanted to remove microblading from the tattooing definition of as the consensus was microblading was a permanent cosmetic colorist service.</p> <p>The board made the following motions.</p>	
Motion:	<p>1st Khitsana Sypakanphay, 2nd Connie Dougherty accept Position Statement Regarding Microneedling, Microchanneling, Nanoneedling, Skin Stamping, And Dermalrollers as written:</p> <p><i>On January 1st, 2019, statutory change took effect, and the definition of tattooing was changed to include the terms microblading and microneedling. This statutory change was a result of SB4 which passed April 2018. The FDA released a formal statement on June 12th, 2018, announcing microneedling devices as a class II medical device to be used by or under the supervision of medical practitioners.</i></p> <p><i>Tattooing is currently defined as “the process by which the skin is marked or colored to form indelible marks, figures, or decorative designs for nonmedical purposes by inserting or ingraining an indelible pigment into or onto the skin, microblading, or microneedling.” However, the process of microneedling does not deposit pigment into the skin nor does it form an indelible mark. The microneedling process is not satisfied by the definition of tattooing. Furthermore, permanent cosmetic coloring, defined as tattooing “for the purpose of simulating hair and makeup” does not support microneedling as the microneedling procedure does not simulate hair or makeup, in addition to not forming or ingraining an indelible pigment into the skin.</i></p> <p><i>After extensive research it is the opinion of the board that microneedling, microchanneling, nanoneedling, skin stamping, and dermaroller services, or similar services that puncture the skin should not be performed by anyone licensed by this board nor should microneedling be included in the definition of tattooing.</i></p> <p><i>Thank you for understanding. If you have any questions, please reach out to the board and questions will be discussed by board members.</i></p>	
Recorded Votes:	Tina Taylor	Khitsana Sypakanphay
	Michelle McMullin	Kelsie McGraw
	Connie Dougherty	
Motion	<p>1st Tina Taylor, 2nd Kelsie McGraw accept the Crazy Hair position statement as written:</p> <p><i>The Alaska State Board of Barbers and Hairdressers wants you to be aware that getting your hair done at a festival may sound like fun but keep in mind that the practice of hairdressing in Alaska is licensed and regulated for health and sanitary reasons. Persons who make changes to the style, color, and/or texture of hair in this state for a fee require a license which indicates they have sufficient training and knowledge.</i></p> <p><i>Booths at a carnival, festival or fair are required to have a mobile shop license. In Alaska, hairdressers and shops are required to prominently post these licenses. Check that you see these licenses before you or your child get any services. If you have concerns, please contact the management of the event and the Investigative Unit at (907-) 465-8174 or investigations@alaska.gov.</i></p>	

Recorded Votes:	Connie Dougherty	Kelsie McGraw
	Michelle McMullin	Khitsana Sypakanphay
	Tina Taylor	
Motion:	<p>1st Tina Taylor, 2nd Connie Dougherty accept Position Statement Regarding Estheticians Providing Services at the Dermal Skin Layer As written</p> <p><i>The Board of Barbers & Hairdressers met November 14, 2022 and made the following statement addressing estheticians providing services that go below the dermal layer of skin.</i></p> <p><i>Estheticians may provide services that does not go below the dermal layer of skin.</i></p> <p><i>In accordance with Alaska statute 08.13.220(5) "esthetics" means the use of the hands, appliances, cosmetic preparations, antiseptics, or lotions in massaging, cleansing, stimulating, or similar work on the scalp, face, or neck, including skin care, make-up, and temporary removal of superfluous hair, for cosmetic purposes for a fee.</i></p> <p><i>Thank you for understanding. If you have any questions, please reach out to the board and questions will be discussed by board members.</i></p>	
Recorded Votes:	Connie Dougherty	Kelsie McGraw
	Michelle McMullin	Khitsana Sypakanphay
	Tina Taylor	

Next Meeting:	February 27 – 28, 2023
Adjournment:	11:49 a.m.

Respectfully submitted:

Cynthia Spencer, Licensing Examiner

Approved:

Michelle McMullin, Chairperson
Board of Barbers and Hairdressers

Date: _____

From: [reese.hammer](#)
To: [Board of Barbers Hairdressers \(CED sponsored\)](#)
Subject: Re: Service Requirements
Date: Monday, November 21, 2022 3:44:16 PM
Attachments: [image001.png](#)

Hi Cynthia,

Thank you for the clarification. I understand that its a type of 'tattoo' but its the exact same procedure/technique that I was trained and licensed to perform for pmu brow and lip outlining. The only difference is the shape and placement. There would be no shading/color or large tattoos like what full-on tattooists offer.

In some states, tiny tattoos can be performed by regular estheticians and for the more strict states pmu artists are able to do them. Is there any way you can research this a little closer after I've explained it better? Or may I bring this matter to the boards attention to possibly create a subcategory for body art that is strictly for tiny, fine-line tattoos for PMU artists to perform; with restrictions of course, so as to not infringe on a full blown tattoo artists. Most tattoo artists won't even bother with the tiny tattoos because they don't make enough money to justify them. There is a demand for them that is currently not being met here in Alaska due to the extensive costs and training associated to be able to offer them.

I am heavily invested in this field already, to the tune of almost \$20k, and feel that it is overkill on my end to have to go through an entire 1,200 hour apprenticeship and pay a lot more money to have to become a licensed 'tattoo artist' in order to perform the service that I am currently already licensed to do.

I really appreciate you taking the time to help me figure this out. Please let me know what my options are as I move forward on this. Have a great Thanksgiving and I'll talk to you soon.

Sincerely,
Reese Hammer
Aeri Aesthetics & Permanent Cosmetics

On Nov 17, 2022, at 9:11 AM, Board of Barbers Hairdressers (CED sponsored)
<boardofbarbershairdressers@alaska.gov> wrote:

Hello Reese.

Apologies for the delayed response.

In accordance with Alaska statute 08.13.220(12) a permanent cosmetic colorist (PCC) may only provide services for the purpose of simulating hair and makeup.

person for a fee and for cosmetic purposes;

(12) "permanent cosmetic coloring" means tattooing for the purpose of simulating hair or makeup, such as permanent eyeliner, lip color, eyebrows, and eyeshadow;

(13) "practitioner" means a person licensed to practice barbering, non-chemical barbering, hairdressing, hair braiding, manicuring, esthetics, tattooing, permanent cosmetic coloring, or body piercing under this chapter;

(14) "shampoo person" means a person who, for a fee and under the supervision of a practitioner of barbering or hairdressing, cleanses or conditions the hair of the human head with products that have no effect other than cleaning or conditioning the hair;

(15) "shop" is an establishment operated for the purpose of engaging in barbering, hairdressing, hair braiding, manicuring, esthetics, tattooing, permanent cosmetic coloring, or body piercing;

(16) "tattooing" means the process by which the skin is marked or colored to form indelible marks, figures, or decorative designs for nonmedical purposes by inserting or ingraining an indelible pigment into or onto the skin, microblading, or microneedling.

If you would like to provide tattooing services, you will need to obtain a tattoo license.

Respectfully,

Cynthia Spencer
Occupational Licensing Examiner
Div. of Corporations, Business and Professional Licensing
Professional Licensing

---Original Message-----

From: reese hammer
Sent: Sunday, November 6, 2022 2:12 PM
To: Spencer, Cynthia R (CED)
Subject: Service Requirements

[You don't often get email from

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I'm reaching out on behalf of the requirements to offer 'Tiny Tattoos' in addition to my existing PMU services that I currently provide here in Alaska. I am a licensed Permanent Cosmetic Colorist going into my second year now and have been trained and certified for minimal fine line tattoos that involve inserting the pigment with a single needle machine. This is the exact same technique I do currently for an outline for Powder Brows. I just wanted to make sure that this service is legal to perform with my PCC licensing since it's essentially the exact same procedure. I will also only be doing tattoos the size of a deck of cards or smaller, with no shading (strictly fine line tattoos that current tattoo parlors aren't taught to do and cannot do with the size of their coil machines.) If you could get back to me with more information on this subject that would be greatly appreciated. I cannot wait to bring this service to Alaska!

Thank you in advance,
Reese Hammer
Owner/Operator of Aeri Aesthetics & Permanent Cosmetics

From: [Diana Straub](#)
To: [Board of Barbers Hairdressers \(CED sponsored\)](#)
Subject: Re: Review of Esthetician Dermal Layer of Skin, Position Statement
Date: Thursday, March 2, 2023 4:41:47 PM

You don't often get email from dianalstraub@icloud.com. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Alaska Board of Barbers & Hairdressers

Date: February 28, 2023

RE: Dermaplane as an Exfoliation Service

Ms. Whitcomb and Members of the Board:

I was prepared to give Public Comments on the topic of Old Business: ***Review of Esthetician Dermal Layer of Skin, Position Statement*** at the February 27, 2023 meeting of the Board Members. Due to the cancelation of that meeting, I will share my comments for the record via email.

A little bit of background on me to help you understand my interest. I am currently a licensed Esthetician in Alaska. I work in a physician's office providing esthetic services. I have also held an Alaska Hairdressers license and provided permeant makeup services prior to Alaska licensing requirements. I have held a Cosmetology (hair, skin and

nails) license in California since 1985 and completed an Instructor Training program of 600 hours. I am a former member and Chairman of this Board.

Public Comments:

It is my opinion an Alaska licensed Esthetician has demonstrated the basic understanding of skin and it's function in addition to demonstrating a basic level of proficiency delivering basic Esthetic services. I believe with this level of information all Alaskan Estheticians should be encouraged to seek additional education. Physicians go to weekend educational events such as a Botox class and begin providing Botox services to patients the following week. Why should any practitioner overseen by this Board be treated differently? It would be reasonable for the Board to request a copy of the training certificate and proof of liability insurance covering the service.

I strongly encourage this Board to permit licensed Estheticians who present a training certificate and proof of

liability insurance for the same service as the training certificate to practice a service on the skin in the epidermal layer. This would allow an Alaska Esthetician to practice the services of:

Dermaplane, Microdermabrasion, Chemical Peels and other services that serve the purpose of exfoliating the epidermal layers of skin. I strongly believe if the service is in the epidermal layer of skin, it **is** a service for the Esthetician.

Remember, Estheticians are licensed to remove hair from the face and body. Estheticians can tint lashes and brows. The brow tint should be able to enter the epidermal layer of skin IF desired. The idea that an Esthetician would not pierce the skin makes me wonder how extractions were taught. This means Microneedling **is** an Esthetician's service.

Thank you for your time and service to our profession by serving on our board.

Respectfully ,

Diana L. Straub

Call or Text:

From: [Spencer, Cynthia R \(CED\)](#)
To: [Nesheim, Janine R.](#)
Subject: RE:
Date: Thursday, March 30, 2023 7:13:00 AM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Good morning Janine.

The Board of Barbers & Hairdressers have no statutory or regulatory authority that addresses the serving of food or beverages (alcoholic or non-alcoholic). We would defer to your requirements and the [Alcohol & Marijuana Control Office](#).

I've not really paid attention to shops/salons that offer food or beverages (alcoholic or non-alcoholic); do you see this occurring more often these days? I am going to add this as a discussion topic for the next board meeting (May 15, if all goes well) just to get the board's input.

Let me know if you have any questions or concerns.

Respectfully,
Cynthia Spencer
Occupational Licensing Examiner
[Div. of Corporations, Business and Professional Licensing](#)
[Professional Licensing](#)



From: Nesheim, Janine R.
Sent: Wednesday, March 29, 2023 3:22 PM
To: Spencer, Cynthia R (CED) <cynthia.spencer@alaska.gov>
Subject:

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Cynthia,

I have a couple questions about this facility and you code requirements:

- Both have the same address
- Food and alcohol allowed in the salon area

Respectfully,



Janine Nesheim

Environmental Sanitarian III –
Plan Review
Anchorage Health Department
825 L Street, Anchorage, AK
99501
Office: (907) 343-4815
muni.org/health



Dena'inaq etnen'aq' gheshtnu ch'q'u yeshdu. I live and work on the land of the Dena'ina.

NOTICE: This message is intended for the sole use of the addressee, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the addressee you are hereby notified that you may not use, copy, disclose, or distribute to anyone the message or any information contained in the message. If you have received this message in error, please immediately advise the sender by reply email and delete this message.



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Alaska Commission on Postsecondary Education

INSTITUTIONAL AUTHORIZATION

P.O. Box 110505
Juneau, Alaska 99811-0505
Phone: 907.465.6741
Fax: 907.465.5316
acpe.alaska.gov

April 26, 2023

Danielle Tremblay, Owner
Trend Setters School of Beauty
3901 Old Seward Hwy, #28
Anchorage, AK 99503

Dear Owner Tremblay:

At its regularly scheduled meeting on April 26, 2023, the Alaska Commission on Postsecondary Education (ACPE) approved Trend Setter School of Beauty's request for renewal of authorization.

Trend Setter's authorization was approved for two years and three months, through July 31, 2025 for the programs listed on the table below. A certificate of authorization, which must be conspicuously displayed on your premises, will be provided in the coming weeks.

Program or degree name	Program length or credit hours	Cost
Hairdressing	1650 hours	\$9,5000

Please note you are required to provide written notification to ACPE prior to making changes that depart from the information presented in the institution's authorization application, or when there are changes to the institution's status with accrediting or other regulatory bodies. Minor changes may be eligible for immediate administrative approval; however, significant changes may require that you submit an application for program amendment of authorization to the Commission.

My congratulations to you, and I look forward to our continued partnership to ensure compliance with the statutes and regulations governing the delivery of postsecondary education in Alaska.

Sincerely,

A handwritten signature in cursive script that reads "Tyler Eggen".

Tyler Eggen
IA Program Coordinator



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Alaska Commission on Postsecondary Education

INSTITUTIONAL AUTHORIZATION

P.O. Box 110505
Juneau, Alaska 99811-0505
Phone: 907.465.6741
Fax: 907.465.5316
acpe.alaska.gov

April 26, 2023

Annisa Eastepp, Owner
The Esthetics District
600 E Northern Lights Blvd, #130
Anchorage, AK 99503

Dear Owner Eastepp:

At its regularly scheduled meeting on April 26, 2023, the Alaska Commission on Postsecondary Education (ACPE) approved The Esthetics District's request for initial authorization.

The Esthetics District's authorization was approved for two years, through April 30, 2025, for the programs listed on the table below. A certificate of authorization, which must be conspicuously displayed on your premises, will be provided in the coming weeks.

Program or degree name	Program length or credit hours	Cost
Esthetics	350 hours	\$8,000

Please note you are required to provide written notification to ACPE prior to making changes that depart from the information presented in the institution's authorization application, or when there are changes to the institution's status with accrediting or other regulatory bodies. Minor changes may be eligible for immediate administrative approval; however, significant changes may require that you submit an application for program amendment of authorization to the Commission.

My congratulations to you, and I look forward to our continued partnership to ensure compliance with the statutes and regulations governing the delivery of postsecondary education in Alaska.

Sincerely,

A handwritten signature in cursive script that reads "Tyler Eggen".

Tyler Eggen
IA Program Coordinator

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Board of Barbers and Hairdressers	FY 16		FY 17	Biennium	FY 18		FY 19	Biennium	FY 20		FY 21	Biennium	FY 22		FY 23 1st - 3rd QTR							
Revenue																						
Revenue from License Fees	\$	1,058,351	\$	302,163	\$	1,360,514	\$	1,210,958	\$	439,932	\$	1,650,890	\$	1,034,860	\$	389,183	\$	1,424,043	\$	1,035,686	\$	240,743
General Fund Received																						
Allowable Third Party Reimbursements		-		-		-		-		-		-										
TOTAL REVENUE	\$	1,058,351	\$	302,163	\$	1,360,514	\$	1,210,958	\$	439,932	\$	1,650,890	\$	1,034,860	\$	389,183	\$	1,424,043	\$	1,057,209	\$	240,743
Expenditures																						
Non Investigation Expenditures																						
1000 - Personal Services		178,867		147,452		326,319		190,824		195,815		386,639		187,928		154,229		342,157		177,685		135,712
2000 - Travel		9,766		7,021		16,787		10,451		6,127		16,578		2,521		-		2,521		2,862		-
3000 - Services		63,413		47,627		111,040		59,241		58,111		117,352		44,123		39,463		83,586		29,742		20,151
4000 - Commodities		584		225		809		300		193		493		-		-		-		-		-
5000 - Capital Outlay		-		-		-		-		-		-		-		-		-		-		-
Total Non-Investigation Expenditures		252,630		202,325		454,955		260,816		260,246		521,062		234,572		193,692		428,264		210,289		155,863
Investigation Expenditures																						
1000-Personal Services		104,502		121,275		225,777		108,332		126,521		234,853		163,905		87,573		251,478		97,978		117,529
2000 - Travel										-		-		723		-		723		-		-
3023 - Expert Witness		-		-		-		-		-		-		-		-		-		-		-
3088 - Inter-Agency Legal		-		9,037		9,037		1,425		1,489		2,914		558		288		846		8,185		546
3094 - Inter-Agency Hearing/Mediation		-		480		480		-		868		868		-		-		-		3,624		-
3000 - Services other										481		481		757		81		838		241		149
4000 - Commodities										-		-		-		-		-		-		-
Total Investigation Expenditures		104,502		130,792		235,294		109,757		129,359		239,116		165,943		87,942		253,885		110,028		118,224
Total Direct Expenditures		357,132		333,117		690,249		370,573		389,605		760,178		400,515		281,634		682,149		320,317		274,087
Indirect Expenditures																						
Internal Administrative Costs		241,144		179,826		420,970		205,071		177,867		382,938		217,172		164,610		381,782		196,546		147,410
Departmental Costs		65,766		100,523		166,289		104,226		96,684		200,910		76,526		60,003		136,529		71,313		53,485
Statewide Costs		18,664		28,391		47,055		33,433		34,066		67,499		46,351		33,188		79,539		34,649		25,987
Total Indirect Expenditures		325,574		308,740		634,314		342,730		308,617		651,347		340,049		257,801		597,850		302,508		226,882
TOTAL EXPENDITURES	\$	682,706	\$	641,857	\$	1,324,563	\$	713,303	\$	698,222	\$	1,411,525	\$	740,564	\$	539,435	\$	1,279,999	\$	622,825	\$	500,969
Cumulative Surplus (Deficit)																						
Beginning Cumulative Surplus (Deficit)	\$	166,743	\$	542,388			\$	202,694	\$	700,349			\$	442,059	\$	736,355			\$	586,103	\$	1,020,487
Annual Increase/(Decrease)		375,645		(339,694)				497,655		(258,290)				294,296		(150,252)				434,384		(260,226)
Ending Cumulative Surplus (Deficit)	\$	542,388	\$	202,694			\$	700,349		442,059			\$	736,355	\$	586,103			\$	1,020,487	\$	760,261
Statistical Information																						
Number of Licenses for Indirect calculation		7,691		7,767				8,514		6,784				7,460		6,956				7,507		
Additional information:																						
• Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses *																						
• Most recent fee change: New fee added FY19																						
• Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and p																						

Appropriation Name (Ex)	(Multiple Items)
Sub Unit	(All)
PL Task Code	BAH1

Sum of Budgetary Expenditures	Object Type Name (Ex)		
Object Name (Ex)	1000 - Personal Services	3000 - Services	Grand Total
1011 - Regular Compensation	125,931.99		125,931.99
1014 - Overtime	360.35		360.35
1016 - Other Premium Pay	48.85		48.85
1023 - Leave Taken	26,520.10		26,520.10
1028 - Alaska Supplemental Benefit	9,385.91		9,385.91
1029 - Public Employee's Retirement System Defined Benefits	20,240.76		20,240.76
1030 - Public Employee's Retirement System Defined Contribution	3,794.00		3,794.00
1034 - Public Employee's Retirement System Defined Cont Health Reim	2,400.20		2,400.20
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	783.38		783.38
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	10,676.43		10,676.43
1040 - Group Health Insurance	43,533.20		43,533.20
1042 - Worker's Compensation Insurance	1,224.15		1,224.15
1047 - Leave Cash In Employer Charge	3,096.00		3,096.00
1048 - Terminal Leave Employer Charge	2,865.22		2,865.22
1053 - Medicare Tax	2,130.15		2,130.15
1077 - ASEA Legal Trust	205.52		205.52
1079 - ASEA Injury Leave Usage	16.56		16.56
1080 - SU Legal Trst	28.54		28.54
3001 - Test Monitor/Proctor		2,030.50	2,030.50
3002 - Memberships		200.00	200.00
3035 - Long Distance		13.78	13.78
3036 - Local/Equipment Charges		4.92	4.92
3044 - Courier		1,139.33	1,139.33
3045 - Postage		156.54	156.54
3046 - Advertising		249.07	249.07
3085 - Inter-Agency Mail		3,218.98	3,218.98
3088 - Inter-Agency Legal		3,888.10	3,888.10
3979 - Inter-Agency Management/Consulting		9,944.07	9,944.07
Grand Total	253,241.31	20,845.29	274,086.60

Department of Commerce Community, and Economic Development
Corporations, Business and Professional Licensing

Summary of All Professional Licensing
Schedule of Revenues and Expenditures

Board of Barbers and Hairdressers	FY 16FY 17Biennium			FY 18FY 19Biennium			FY 20FY 21Biennium			FY 23	
										FY 22	1st & 2nd QTR
Revenue											
Revenue from License Fees	\$ 1,058,351	\$ 302,163	\$ 1,360,514	\$ 1,210,958	\$ 439,932	\$ 1,650,890	\$ 1,034,860	\$ 389,183	\$ 1,424,043	\$ 1,035,686	\$ 151,670
General Fund Received							\$ -	\$ -	\$ -	\$ 21,523	\$ -
Allowable Third Party Reimbursements	-	-	-	-	-	-	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL REVENUE	\$ 1,058,351	\$ 302,163	\$ 1,360,514	\$ 1,210,958	\$ 439,932	\$ 1,650,890	\$ 1,034,860	\$ 389,183	\$ 1,424,043	\$ 1,057,209	\$ 151,670
Expenditures											
Non Investigation Expenditures											
1000 - Personal Services	178,867	147,452	326,319	190,824	195,815	386,639	187,928	154,229	342,157	177,685	82,583
2000 - Travel	9,766	7,021	16,787	10,451	6,127	16,578	2,521	-	2,521	2,862	-
3000 - Services	63,413	47,627	111,040	59,241	58,111	117,352	44,123	39,463	83,586	29,742	12,403
4000 - Commodities	584	225	809	300	193	493	-	-	-	-	-
5000 - Capital Outlay	-	-	-	-	-	-	-	-	-	-	-
Total Non-Investigation Expenditures	252,630	202,325	454,955	260,816	260,246	521,062	234,572	193,692	428,264	210,289	94,986
Investigation Expenditures											
1000-Personal Services	104,502	121,275	225,777	108,332	126,521	234,853	163,905	87,573	251,478	97,978	70,196
2000 - Travel	-	-	-	-	-	-	723	-	723	-	-
3023 - Expert Witness	-	-	-	-	-	-	-	-	-	-	-
3088 - Inter-Agency Legal	-	9,037	9,037	1,425	1,489	2,914	558	288	846	8,185	-
3094 - Inter-Agency Hearing/Mediation	-	480	480	-	868	868	-	-	-	3,624	-
3000 - Services other					481	481	757	81	838	241	149
4000 - Commodities					-	-	-	-	-	-	-
Total Investigation Expenditures	104,502	130,792	235,294	109,757	129,359	239,116	165,943	87,942	253,885	110,028	70,345
Total Direct Expenditures	357,132	333,117	690,249	370,573	389,605	760,178	400,515	281,634	682,149	320,317	165,331
Indirect Expenditures											
Internal Administrative Costs	241,144	179,826	420,970	205,071	177,867	382,938	217,172	164,610	381,782	196,546	98,273
Departmental Costs	65,766	100,523	166,289	104,226	96,684	200,910	76,526	60,003	136,529	71,313	35,657
Statewide Costs	18,664	28,391	47,055	33,433	34,066	67,499	46,351	33,188	79,539	34,649	17,325
Total Indirect Expenditures	325,574	308,740	634,314	342,730	308,617	651,347	340,049	257,801	597,850	302,508	151,255
TOTAL EXPENDITURES	\$ 682,706	\$ 641,857	\$ 1,324,563	\$ 713,303	\$ 698,222	\$ 1,411,525	\$ 740,564	\$ 539,435	\$ 1,279,999	\$ 622,825	\$ 316,586
Cumulative Surplus (Deficit)											
Beginning Cumulative Surplus (Deficit)	\$ 166,743	\$ 542,388		\$ 202,694	\$ 700,349		\$ 442,059	\$ 736,355		\$ 586,103	\$ 1,020,487
Annual Increase/(Decrease)	375,645	(339,694)		497,655	(258,290)		294,296	(150,252)		434,384	(164,916)
Ending Cumulative Surplus (Deficit)	\$ 542,388	\$ 202,694		\$ 700,349	442,059		\$ 736,355	\$ 586,103		\$ 1,020,487	\$ 855,571
Statistical Information											
Number of Licenses for Indirect calculation	7,691	7,767		8,514	6,784		7,460	6,956		7,507	
Additional information:											
• Fee analysis required if the cumulative is less than zero; fee analysis recommended when the cumulative is less than current year expenditures; no fee increases needed if cumulative is over the current year expenses *											
• Most recent fee change: New fee added FY19											
• Annual license fee analysis will include consideration of other factors such as board and licensee input, potential investigation load, court cases, multiple license and fee types under one program, and program c											

Appropriation Name (Ex)	(Multiple Items)
Sub Unit	(All)
PL Task Code	BAH1

Sum of Budgetary Expenditures	Object Type Name (Ex)		
Object Name (Ex)	1000 - Personal Services	3000 - Services	Grand Total
1011 - Regular Compensation	74,815.41		74,815.41
1014 - Overtime	227.19		227.19
1023 - Leave Taken	16,729.92		16,729.92
1028 - Alaska Supplemental Benefit	5,635.52		5,635.52
1029 - Public Employee's Retirement System Defined Benefits	12,131.99		12,131.99
1030 - Public Employee's Retirement System Defined Contribution	2,277.74		2,277.74
1034 - Public Employee's Retirement System Defined Cont Health Reim	1,436.87		1,436.87
1035 - Public Employee's Retirement Sys Defined Cont Retiree Medical	471.35		471.35
1037 - Public Employee's Retirement Sys Defined Benefit Unfnd Liab	6,432.24		6,432.24
1040 - Group Health Insurance	26,861.54		26,861.54
1042 - Worker's Compensation Insurance	734.95		734.95
1047 - Leave Cash In Employer Charge	2,917.01		2,917.01
1048 - Terminal Leave Employer Charge	662.90		662.90
1053 - Medicare Tax	1,283.32		1,283.32
1077 - ASEA Legal Trust	126.35		126.35
1079 - ASEA Injury Leave Usage	16.56		16.56
1080 - SU Legal Trst	19.05		19.05
3001 - Test Monitor/Proctor		2,030.50	2,030.50
3002 - Memberships		200.00	200.00
3035 - Long Distance		9.98	9.98
3036 - Local/Equipment Charges		3.77	3.77
3044 - Courier		1,132.23	1,132.23
3045 - Postage		156.54	156.54
3046 - Advertising		134.06	134.06
3085 - Inter-Agency Mail		3,218.98	3,218.98
3979 - Inter-Agency Management/Consulting		5,665.32	5,665.32
Grand Total	152,779.91	12,551.38	165,331.29

Department of Commerce, Community
and Economic Development

Division of Corporations, Business
and Professional Licensing

Board of Barbers and Hairdressers
Annual Report
Fiscal Year 2022



Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
Email: License@Alaska.Gov

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

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**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Michelle McMullin Nail Technician, Chairperson	Anchorage	Mar 1, 2017	Mar 1, 2024
Holly Andrews / Vacant Industry Licensee	Wasilla	Mar 1, 2021	Mar 1, 2022
Connie Daugherty Hairdresser/Esthetician	Anchorage	Jan 20, 2021	Mar 1, 2024
Tina Taylor Hairdresser	Soldotna	Jan 20, 2021	Mar 1, 2024
Khitsana Sypakanphay Tattoo/Body Piercer/ Permanent Cosmetic Coloring	Anchorage	Jan 29, 2021	Mar 1, 2024
Vershawn Idom / Vacant Barber	Anchorage	Mar 1, 2018	Mar 1, 2024
Vacant Public Member			
Kelsie McGraw Industry Licensee/ Esthetician	Wasilla	Aug 4, 2022	Mar 1, 2024

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Identification of Staff

Wanda Whitcomb – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Cynthia Spencer - Licensing Examiner

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(907) 465-2550

Colleen Kautz - Program Coordinator / Supervisor

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(907) 465-2550

Jun Maiquis - Regulations Specialist II

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Division of Corporations, Business and Professional Licensing
P.O. Box 110806
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(907) 465-2550

Sher Zinn - Regulations Specialist

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**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Identification of Staff

Amber Whaley - Senior Investigator

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Division of Corporations, Business and Professional Licensing
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(907) 269-8124

Jenni Summers - Senior Investigator

Department of Commerce, Community & Economic Development
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Shauna Muraco - Investigator

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Michele Hearn - Investigator

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
550 West 7th Avenue, Suite 1500
Anchorage, Alaska 99501-3567
(907) 269-8124

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Narrative Statement

The board held a total of four meetings during the fiscal year. Most 2021 meetings were via Zoom video conference with the ability 3 board members traveling to Juneau for our January meeting and the rest of the board members via zoom. With the COVID 19 pandemic, state restrictions, and budget cuts we were unable to meet in person. State investigators and division representatives were present during these meetings. In person meetings are still considered vital for our decision-making process and will be requested when travel restrictions are lifted.

The board presented a bill with five important statute change requests to the legislature. This bill was not picked up, and the inability to travel to Juneau made the situation difficult as the board was unable to communicate in person with legislators regarding the needed changes. The board is also expected to have future travel suspended and future meetings held either via video or teleconference due to proposed budget cuts.

The board worked very hard on a bill to change five statutes; this bill did not get picked up. The first statute change, removing “microneedling” from the tattoo definition, has significant health and safety concerns and the board obtained legal advice to change this. The next statute change, giving authority back for barbers to teach and practice hair braiding, had been removed as an unintentional consequence of passing SB4. The next statute, adding “current state of Alaska” to license verbiage, allows for clearer advice regarding the display of licenses. The other two are in line with right touch regulation and would allow the board to attend to the needs of licensees more efficiently by allowing people to get back to work without needless barriers. One pertains to cleaning up language that is confusing, outdated, and contradictory for temporary licenses, temporary shop licenses, and the allowance of conventions. The last statute change request is to allow the board to modify apprenticeship hours in regulation and create an apprenticeship program for an advanced manicurist endorsement. This change would allow the board to more adequately keep up with our fluid and changing professions. More than the required meetings were had during FY19 to accommodate proposed legislative change and increased regulatory workload. Right touch regulation training was provided, and the board immediately began using these new tools.

We were one of the first boards in the United States to give advice and help assist in reopening our industries during the Pandemic.

The board continues to recommend licensing examiners be present and to resume face to face meetings. It is the board’s view that in person meetings are more productive than video or teleconference meetings. A regulation project for the Dept. of Commerce, Community and Economic Development (DCCED) to begin salon/shop/studio inspections was begun and adopted during the May 11 – 12, 2020 meeting and will be transmitted to the lieutenant governor’s office. The board continues to work with investigative staff to create a shop/salon checklist for annual inspections.

Regulation change suggestions for the Dept. of Environmental Conservation (DEC) to update 18 AAC 23 were decided during May 11th 12th 2020 and sent to our regulation specialist, the liaison between the board and the DEC. The board continues to support investigative staff and include them in board meetings. The board continues to encourage investigative staff to perform inspections across the state.

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Narrative Statement (continued)

During the October 2020 meeting, the board reviewed the National Interstate Council of State Boards of Cosmetology (NIC) exams for tattooing and permanent cosmetic coloring; the board concluded the exams do not meet the needs for potential Alaskan licensees at this time. The board voted not to adopt the NIC tattoo and permanent cosmetic coloring exams.

The board continues discussion regarding updating the esthetics curriculum to be more in line with national standards and to improve the professional quality of our licensees. The board continues to discuss ways to improve the health and safety of our communities and to provide more economic opportunities for licensees. The division continues to explore ways for applicants and licensees to submit documentation and applications online.

Discussion continues during board meetings and town hall meetings regarding the need to increase the length of time a licensed tattooist, body piercer, or permanent cosmetic colorist is required to hold an active license before taking on an apprentice. Currently, the body arts licensee must be licensed for one year, but the board would like to increase this to a minimum of three (or five) years before taking on an apprentice. This is a health and safety concern.

The board continues to remove outdated study materials for the tattoo and permanent cosmetic color exams and to update exam content. The board continues working with NIC and using NIC examinations for local testing for many license types. The board would like to continue to send local representation to the annual NIC convention to include one staff member as well as one board member. The information from these conventions assists the board in providing excellent service to our community members and licensees. The board was unable to do this because travel was denied due to COVID 19 and state travel restrictions. The division and the board are not recommending any fee changes for applicants and licensees at this time. Discussion continues about the practicality of mobile shops for special events and services, out of state tattoo and PCC schools, tattoo instructor's licenses, and online education.

The board created position statements on Barbers being allowed to teach hair braiding, crazy hair, and teeth whitening and are in the process of posting them to our website. The board continues to use position statements to recognize issues in the community when regulatory authority is outside our purview.

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Budget Recommendations for FY 2023

Budget Recommendations section anticipates the board's fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as "other" so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
October 3, 2022	Videoconference	4	2
<input type="checkbox"/> Airfare <input type="checkbox"/> Hotel <input type="checkbox"/> Ground <input type="checkbox"/> Other:			
Total Estimated Cost:			\$0.00

Board Meeting Date	Location	# Board	# Staff
January, 2023	Juneau	4	2
<input checked="" type="checkbox"/> Airfare \$2,400.00 <input checked="" type="checkbox"/> Hotel \$2,300.00 <input checked="" type="checkbox"/> Ground \$150.00 <input checked="" type="checkbox"/> Other: \$800.00			
Total Estimated Cost:			\$5,650.00

Board Meeting Date	Location	# Board	# Staff
May, 2023	Videoconference	4	2
<input type="checkbox"/> Airfare <input type="checkbox"/> Hotel <input type="checkbox"/> Ground <input type="checkbox"/> Other:			
Total Estimated Cost:			\$0.00

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Budget Recommendations for FY 2023 (continued)

Board Meeting Date	Location	# Board	# Staff
October, 2023	Videoconference	4	2
<input type="checkbox"/> Airfare <input type="checkbox"/> Hotel <input type="checkbox"/> Ground <input type="checkbox"/> Other:			
Total Estimated Cost:			\$0.00

Travel Required to Perform Examinations			
<input checked="" type="checkbox"/> Not Applicable			
Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			
<input type="checkbox"/> Airfare: <input type="checkbox"/> Hotel: <input type="checkbox"/> Ground: <input type="checkbox"/> Conference: <input type="checkbox"/> Other:			
Total Estimated Cost:			\$ 0.00

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Budget Recommendations for FY 2023 (continued)

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

☒ #1 Rank in Importance or ☐ Not Applicable

Date	Location	# Board	# Staff
January, 2023	Juneau	4	0

Description of meeting and its role in supporting the mission of the Board:

The board has several statutory changes which were to be presented to the legislative body in 2021; due to COVID-19 shutdowns and travel restrictions, information was presented but not picked up during 2021 or 2022. The board would like to continue to advocate for statutory changes to better the industry and protect the public from unsafe practices. Historically, in-person meetings in conjunction with a legislative session are the best avenue to obtain support and meet with sponsors.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$1,384.00			\$1,384.00
<input checked="" type="checkbox"/> Hotel:	\$1,575.00			\$1,575.00
<input checked="" type="checkbox"/> Ground:	\$400.00			\$400.00
<input type="checkbox"/> Conference:				
<input checked="" type="checkbox"/> Other:	\$892.00			\$892.00
Describe "Other" (break out all sections): Meals and mileage				
Net Total:	\$4,251.00	\$0.00	\$0.00	\$4,251.00

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Budget Recommendations for FY 2023 (continued)

Out-of-State Meetings and Additional In-State Travel

#2 Rank in Importance

Date	Location	# Board	# Staff
Sept 30 - Oct 3, 2022	San Antonio, TX	1	1

Description of meeting and its role in supporting the mission of the Board:

Attendance of this annual National Interstate Council of State Boards of Cosmetology (NIC) Annual Conference allows for the gathering of information on other state licensure requirements, statutory/regulatory updates or changes, informational exchange, addressing common state board licensing issues, sharing of databases. The gain of information and knowledge on new techniques, equipment and industry standard changes which may affect Alaska and require changes in regulations, license requirements, etc. This is typically a four-day meeting. NIC travel estimate 1.5 days pre & post travel based on flight schedules. <https://nictesting.org/events/>

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$3,000.00			\$3,000.00
<input checked="" type="checkbox"/> Hotel:	\$1,800.00			\$1,800.00
<input checked="" type="checkbox"/> Ground:	\$100.00			\$100.00
<input checked="" type="checkbox"/> Conference:	\$300.00			\$300.00
<input checked="" type="checkbox"/> Other:	\$520.00			\$520.00
Describe "Other" (break out all sections): Meals not provided.				
Net Total:	\$5,720.00	\$0.00	\$0.00	\$5,720.00

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Budget Recommendations for FY 2023 (continued)

Out-of-State Meetings and Additional In-State Travel

#3 Rank in Importance

Date	Location	# Board	# Staff
Spring 2023	TBD	1	1

Description of meeting and its role in supporting the mission of the Board:

Attendance of this annual National Interstate Council of State Boards of Cosmetology (NIC) Regional & Administrators meeting allows for the gathering of information on other state licensure requirements, statutory/regulatory updates or changes, informational exchange, addressing common state board licensing issues, sharing of databases. The gain of information and knowledge on new techniques, equipment and industry standard changes which may affect Alaska and require changes in regulations, license requirements, etc. This is typically a four-day meeting. NIC travel estimate 1.5 days pre & post travel.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$3,000.00			\$3,000.00
<input checked="" type="checkbox"/> Hotel:	\$1,800.00			\$1,800.00
<input checked="" type="checkbox"/> Ground:	\$150.00			\$150.00
<input checked="" type="checkbox"/> Conference:	\$300.00			\$300.00
<input checked="" type="checkbox"/> Other:	\$400.00			\$400.00
Describe "Other" (break out all sections): Meals not provided.				
Net Total:	\$5,650.00	\$0.00	\$0.00	\$5,650.00

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Budget Recommendations for FY 2023 (continued)

Non-Travel Budget Requests

- ☐ Not Applicable
 ☐ Resources
 ☐ Examinations
☒ Membership
 ☐ Training
 ☐ Other

Product or Service	Provider	Cost Per Event
National Interstate Council of State Boards of Cosmetology (NIC)	NIC	\$310.00

Description of item and its role in supporting the mission of the Board:

Annual membership dues. Being a member of NIC allows the board to keep current with National standards and practices; allows the use of the NIC written and practical examinations; allows member States an ease of sharing license information (verifications/certifications).

Non-Travel Budget Requests

- ☐ Not Applicable
 ☐ Resources
 ☒ Examinations
☐ Membership
 ☐ Training
 ☐ Other

Product or Service	Provider	Cost Per Event
n/a	n/a	n/a

Description of item and its role in supporting the mission of the Board:

Other Items with a Fiscal Impact

- ☐ Not Applicable

Cost Per Event: \$1,800.00
Number of Events: 12

Product or Service	Provider	Cost Per Event
Schroeder Measurement Technologies, Inc (SMT)	SMT	\$1,800.00

Description of item and its role in supporting the mission of the Board:

Grading of National written examinations. Per AS 08.13.040, 13.080, 13.090, 13.100 a written examination is required for applicants who don't qualify for reciprocity/credentials/waiver of examination. This is an estimated cost: \$18.00 per booklet grading. Cost of grading per booklet is \$18.00. Also adding \$50.00 per exam event FedEx mailing fee for two packages (score sheets & exam booklets). These additional fees are rolled into making number of events 12.

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Budget Recommendations for FY 2023 (continued)

Other Items with a Fiscal Impact

☐ Not Applicable

Cost Per Event: \$250.00

Number of Events: 12

Product or Service	Provider	Cost Per Event
Written Examinations Fairbanks	State of AK	\$250.00

Description of item and its role in supporting the mission of the Board:

Written Examinations: One proctor; average 2.5 hours per session with 12 exams per year. Cost of FedEx (required by NIC & SMT) shipping to and from.

Summary of FY 2023 Fiscal Requests

Board Meetings and Teleconferences:	\$5,650.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$15,621.00
Dues, Memberships, Resources, Training:	\$310.00
Total Potential Third-Party Offsets:	\$ 0.00
Other:	\$2,050.00
Total Requested:	\$23,631.00

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Legislative Recommendations - Proposed Legislation for FY 2023

☐ **No Recommendations**

The Board has no recommendations for proposed legislation at this time.

☒ **Recommendations**

The Board has the following recommendations for proposed legislation:

Sec. 08.13.220

Remove “microneedling” from the definition of tattooing. This is a medical procedure and the board received legal advice to remove this from the definition.

Sec 08.13.080 and Sec 08.13.160

Add section to allow barbers and non-chemical barbers to practice and teach hair braiding as they were allowed to do before the unintentional consequence of SB4 allowed hairdressers however not barbers or non-chemical barbers to perform this service.

Sec 08.13.082

Allow for apprenticeship hours and other specifications of apprenticeships to be in regulations rather than statute to allow for the changing and dynamic industries we regulate. Also allowing apprenticeship for advanced endorsement of manicuring.

Sec. 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.

Sec. 08.13.130

Adding “current state of Alaska” to the display of license or permits. 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 the allowances for grandfathering.

Sec 08.13.160(g)

Adding: A person licensed by under this chapter to practice barbering or non-chemical barbering is considered to be licensed to practice hair braiding under the same license.

The board will continue to work and draft legislation as needed to meet industry changes and industry needs.

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Regulation Recommendations - Proposed Regulations for FY 2023

☐ **No Recommendations**

The Board has no recommendations for proposed regulations at this time.

☒ **Recommendations**

The Board has the following recommendations for proposed regulations:

12 AAC 09.160(a)(c); 12 AAC 09.161(a)(c); 12 AAC 09.097

Change regulation to allow barbers and non-chemical barbers to continue practicing and teaching hair braiding. An unintentional change during SB4 legislation and the regulation changes the accompany it only state that hairdressers are able to practice and teach hair braiding. Barber and non-chemical barbers are taught braiding and have been practicing and teaching braiding. We would like to make sure they are able to continue this practice.

12 AAC 09.185

As a result of comments from town hall meetings as well as several board meeting discussions, the board discussed increasing the length of time from one to a minimum of three years for a licensed tattooist, body piercer, or permanent cosmetic colorist to take on an apprentice. This has been a concern of the public and would help increase the health and safety of our communities.

12 AAC 09.004; 12 AAC 09.112

Clarify language relating to temporary shop licenses, courtesy licenses, and conventions once legal advice that was requested is relayed back to the board. The language surrounding this topic is vague and difficult to interpret. The growing industries are adapting to conventions where commerce is the main goal rather than demonstrating techniques to other professionals.

12 AAC 09.163

Update the esthetics curriculum to a more national standard after adequate research and discussion is reached by the board. After taking in suggestions from town hall meetings and information brought back from the NIC conventions, the board would like to update the esthetics curriculum to better serve the health and safety as well as professional quality of these licensees.

The board will continue to work and draft regulations as needed to meet industry changes and industry needs.

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Goals and Objectives

Part I

FY 2022's goals and objectives and how they were met:

Conduct three one-day, face-to-face meetings, one of which will be scheduled to coincide with the first week of legislative session (January), and teleconferences, as needed.

We were able to travel with 3 board members for our January meeting and the rest of the board attended via Zoom. We had four meetings in-person and via zoom to accomplish needed board business and continue to utilize onboard for meetings and licensing approval.

Continue to have an operating budget so the board can more efficiently accomplish goals. This includes having a member of the division present during board meetings and conducting meetings face to face.

The board historically has been very strong about maintaining this goal; however, with the new budget proposal, travel for the division member and board members are at risk of being denied. It is important to the board to have meetings face to face where goals can be accomplished and at a more efficient rate.

Have representation on the national level.

The board continues to maintain representation at a national level including sending the board appointed member and staff to the National Interstate Council of State Boards annual conference which is highly valuable to regulating our professions. In the past year, travel has not been allowed due to travel restrictions. The board has requested travel to the NIC national convention.

Continue to be attentive to the school and instructor responsibilities to the student (i.e., applications and record keeping filed in a timely manner).

The board will continue to be attentive to the school and instructor responsibilities to the student by addressing ongoing issues as they arise, holding town hall meetings, suggesting legislation change and updating regulations to keep up with the growing industry.

The board showed excellent foresight in handling of the COVID-19 state-wide shutdown of businesses and social distancing mandates. The Alaska Board of Barbers and Hairdressers was the first board, nation-wide, to address the COVID-19 pandemic and offer guidance to our licensees, schools and students. Other states used the Alaska Board of Barbers and Hairdressers as a model of how to support all licensees during the pandemic.

Take steps to educate the legislature on the concerns of our profession (i.e., sanitation and public safety).

The board will continue to take steps to educate the legislature on the serious concerns of our profession.

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Goals and Objectives (continued)

Part I (continued)

FY 2022's goals and objectives and how they were met:

Continue to have increased investigative staff time to address the complaints and concerns of the public.

The board recognizes that increased investigative staff time has been allowed for follow through on complaints, open cases, and current investigative issues. This has greatly alleviated many complaints being received. Ongoing investigative staff time will be needed for public safety. A hardship to continue with and increase excellent investigative staff is the new budget proposal which is suggesting changes to the internal structure of investigations as well as potentially declining the board's suggestion for increased investigative staffing.

Supported staff for licensing to properly handle the growing volume of licenses, apprentice and student paperwork.

The board will continue supporting the department's addition of another full-time licensing examiner. The board hired an additional licensing examiner in January 2021. With the legislative change eliminating the practical exam and requiring a proficiency exam at the school level, some of the workload on licensing examiners has been lifted.

Update service and practices of estheticians to meet current industry standards and practices.

The board continues to make this issue a priority. Board members have reached out to state representatives on changes to the regulation of esthetician training to bring this up to industry standards.

Increase the length of time licensed as a tattooist or permanent cosmetic colorist from one year to a minimum of three years before taking on apprentices.

The board will continue to increase the health and safety practices in our communities as well as take advice from community members during town hall meetings.

The board be given authority to create and edit licensing requirements they regulate for each of the professions.

Currently, specific criteria for the majority of licenses are written in legislation requiring a lengthy and consuming process to stay current with our growing and changing industries. The board would like to see a legislation change to set certain criteria for our professions in regulation and will continue to better serve the health and safety of our communities by doing so.

Increase the 12-hour manicuring license to bring it up to national standards as well as protect our community members by ensuring the health and safety of this industry.

The board is currently communicating with representatives on how to make changes to regulation to allow the board members to oversee the training requirements for licensees. The board is working to have legislation changes to have this authority moved to regulation giving the board the ability to set the standards for training requirements for students and apprentices.

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Goals and Objectives (continued)

Part II

FY 2023's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

Conduct three one-day, face-to-face meetings, one of which will be scheduled to coincide with the first week of legislative session (January), and teleconferences, as needed.

Historically, the board has met this goal.

Continue to have an operating budget so the board can more efficiently accomplish goals. This includes having a member of the division present during board meetings.

The board historically has been very strong about maintaining this goal. It is important to the board to have meetings face to face where goals can be accomplished and at a more efficient rate.

Have representation on the national level.

The board continues to maintain representation at a national level including sending the board appointed member and staff to the National Interstate Council of State Boards annual conference which is highly valuable to regulating our professions. This may be at risk due to budgetary issues and travel restrictions.

Supported staff for licensing to properly handle the growing volume of licenses, apprentice and student paperwork.

The board will continue supporting the department's addition of another full-time licensing examiner.

Update service and practices of estheticians to meet current industry standards and practices.

The board continues to make this issue a priority. Board members have reached out to state representatives on changes to the regulation of esthetician training to bring this up to industry standards.

Increase the length of time licensed as a tattooist or permanent cosmetic colorist from one year to a minimum of three years before taking on apprentices.

The board will continue to increase the health and safety practices in our communities, as well as take advice from community members during town hall meetings.

The board be given authority to create and edit licensing requirements they regulate for each of the professions.

Currently specific criteria for the majority of licenses are written in legislation requiring a lengthy and consuming process to stay current with our growing and changing industries. The board would like to see a legislation change to set certain criteria for our professions in regulation and will continue to better serve the health and safety of our communities by doing so.

**Board of Barbers and Hairdressers
FY 2022 Annual Report**

Goals and Objectives (continued)

Part II (continued)

FY 2023's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

Increase the 12-hour manicuring license to bring it up to national standards as well as protect our community members by ensuring the health and safety of this industry.

The board is currently communicating with representatives on how to make changes to regulation to allow the board members to oversee the training requirements for licensees. The board is working to have legislation changes to have this authority moved to regulation giving the board the ability to set the standards for training requirements for students and apprentices.

Board of Barbers and Hairdressers
FY 2022 Annual Report

Sunset Audit Recommendations

Date of Last Legislative Audit: 04/18/2018

Board Sunset Date: 06/30/2027

Audit Recommendation:

The board received no new recommendations.

Action Taken:

n/a

Next Steps:

n/a

Complete : ☐ No

☐ Yes

If yes, date completed:

Department of Commerce, Community
and Economic Development

Division of Corporations, Business
and Professional Licensing

Annual Report
Fiscal Year 2023



Department of Commerce, Community and Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
Email: License@Alaska.Gov

FY 2023 Annual Report

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Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires

FY 2023 Annual Report
Identification of the Board (continued)

Board Member	Duty Station	Date Appointed	Term Expires

FY 2023 Annual Report

Identification of Staff

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Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
P.O. Box 110806
Juneau, Alaska 99811-0806
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Department of Commerce, Community & Economic Development
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FY 2023 Annual Report

Identification of Staff (continued)

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FY 2023 Annual Report

Identification of Staff

-

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
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FY 2023 Annual Report

Identification of Staff (continued)

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FY 2023 Annual Report

Narrative Statement

FY 2023 Annual Report

Narrative Statement (continued)

FY 2023 Annual Report

Narrative Statement (continued)

FY 2023 Annual Report

Budget Recommendations for FY 2024

Budget Recommendations section anticipates the board's fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as "other" so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
<div><input type="checkbox"/> Airfare:</div> <div><input type="checkbox"/> Hotel:</div> <div><input type="checkbox"/> Ground:</div> <div><input type="checkbox"/> Other:</div> <div>Total Estimated Cost: \$ 0.00</div>			

Board Meeting Date	Location	# Board	# Staff
<div><input type="checkbox"/> Airfare:</div> <div><input type="checkbox"/> Hotel:</div> <div><input type="checkbox"/> Ground:</div> <div><input type="checkbox"/> Other:</div> <div>Total Estimated Cost: \$ 0.00</div>			

Board Meeting Date	Location	# Board	# Staff
<div><input type="checkbox"/> Airfare:</div> <div><input type="checkbox"/> Hotel:</div> <div><input type="checkbox"/> Ground:</div> <div><input type="checkbox"/> Other:</div> <div>Total Estimated Cost: \$ 0.00</div>			

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Budget Recommendations section anticipates the board's fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as "other" so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
<div><input type="checkbox"/> Airfare:</div> <div><input type="checkbox"/> Hotel:</div> <div><input type="checkbox"/> Ground:</div> <div><input type="checkbox"/> Other:</div> <div>Total Estimated Cost: \$ 0.00</div>			

Board Meeting Date	Location	# Board	# Staff
<div><input type="checkbox"/> Airfare:</div> <div><input type="checkbox"/> Hotel:</div> <div><input type="checkbox"/> Ground:</div> <div><input type="checkbox"/> Other:</div> <div>Total Estimated Cost: \$ 0.00</div>			

Board Meeting Date	Location	# Board	# Staff
<div><input type="checkbox"/> Airfare:</div> <div><input type="checkbox"/> Hotel:</div> <div><input type="checkbox"/> Ground:</div> <div><input type="checkbox"/> Other:</div> <div>Total Estimated Cost: \$ 0.00</div>			

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Travel Required to Perform Examinations

☐ Not Applicable

Date	Location	# Board	# Staff

Description of meeting and its role in supporting the mission of the Board:

- ☐ Airfare:
- ☐ Hotel:
- ☐ Ground:
- ☐ Conference:
- ☐ Other:

Total Estimated Cost:

\$ 0.00

Travel Required to Perform Examinations

☐ Not Applicable

Date	Location	# Board	# Staff

Description of meeting and its role in supporting the mission of the Board:

- ☐ Airfare:
- ☐ Hotel:
- ☐ Ground:
- ☐ Conference:
- ☐ Other:

Total Estimated Cost:

\$ 0.00

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel

(Rank in order of importance)

☐ #1 Rank in Importance or ☐ Not Applicable

Date	Location	# Board	# Staff

Description of meeting and its role in supporting the mission of the Board:

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel

#2 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel

#3 Rank in Importance

Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report
Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel				
#4 Rank in Importance				
Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel

#5 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel

#6 Rank in Importance

Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel

#7 Rank in Importance

Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report
Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel				
#8 Rank in Importance				
Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel

#9 Rank in Importance

Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report
Budget Recommendations for FY 2024 (continued)

Out-of-State Meetings and Additional In-State Travel #10 Rank in Importance				
Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:				\$0.00
<input type="checkbox"/> Hotel:				\$0.00
<input type="checkbox"/> Ground:				\$0.00
<input type="checkbox"/> Conference:				\$0.00
<input type="checkbox"/> Other				\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Non-Travel Budget Requests

- ☐ Not Applicable ☐ Resources ☐ Examinations
☐ Membership ☐ Training ☐ Other

Product or Service	Provider	Cost Per Event

Description of item and its role in supporting the mission of the Board:

Non-Travel Budget Requests

- ☐ Not Applicable ☐ Resources ☐ Examinations
☐ Membership ☐ Training ☐ Other

Product or Service	Provider	Cost Per Event

Description of item and its role in supporting the mission of the Board:

Non-Travel Budget Requests

- ☐ Not Applicable ☐ Resources ☐ Examinations
☐ Membership ☐ Training ☐ Other

Product or Service	Provider	Cost Per Event

Description of item and its role in supporting the mission of the Board:

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Other Items with a Fiscal Impact

☐ Not Applicable

Cost Per Event:

Number of Events:

Product or Service

Provider

Cost Per Event

Description of item and its role in supporting the mission of the Board:

Other Items with a Fiscal Impact

☐ Not Applicable

Cost Per Event:

Number of Events:

Product or Service

Provider

Cost Per Event

Description of item and its role in supporting the mission of the Board:

Other Items with a Fiscal Impact

☐ Not Applicable

Cost Per Event:

Number of Events:

Product or Service

Provider

Cost Per Event

Description of item and its role in supporting the mission of the Board:

FY 2023 Annual Report

Budget Recommendations for FY 2024 (continued)

Other Items with a Fiscal Impact

☐ Not Applicable

Cost Per Event:

Number of Events:

Product or Service	Provider	Cost Per Event

Description of item and its role in supporting the mission of the Board:

Other Items with a Fiscal Impact

☐ Not Applicable

Cost Per Event:

Number of Events:

Product or Service	Provider	Cost Per Event

Description of item and its role in supporting the mission of the Board:

Summary of FY 2024 Fiscal Requests

Board Meetings and Teleconferences:	\$0.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$0.00
Dues, Memberships, Resources, Training:	\$0.00
Total Potential Third-Party Offsets:	- \$ 0.00
Other:	\$0.00
Total Requested:	\$0.00

FY 2023 Annual Report

Legislative Recommendations - Proposed Legislation for FY 2024

☐

No Recommendations

The Board has no recommendations for proposed legislation at this time.

☐

Recommendations

The Board has the following recommendations for proposed legislation:

FY 2023 Annual Report

Legislative Recommendations (continued)

FY 2023 Annual Report

Regulation Recommendations - Proposed Regulations for FY 2024

☐

No Recommendations

The Board has no recommendations for proposed regulations at this time.

☐

Recommendations

The Board has the following recommendations for proposed regulations:

FY 2023 Annual Report

Regulation Recommendations (continued)

FY 2023 Annual Report

Goals and Objectives

Part I

FY 2023's goals and objectives and how they were met:

FY 2023 Annual Report

Goals and Objectives (continued)

Part I (continued)

FY 2023's goals and objectives and how they were met:

FY 2023 Annual Report

Goals and Objectives (continued)

Part II

FY 2024's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

FY 2023 Annual Report

Goals and Objectives (continued)

Part II (continued)

FY 2024's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

FY 2023 Annual Report

Sunset Audit Recommendations

Date of Last Legislative Audit:

Board Sunset Date:

Audit Recommendation:

Action Taken:

Next Steps:

Completed: ☐ No ☐ Yes

If yes, date completed:

Audit Recommendation:

Action Taken:

Next Steps:

Completed: ☐ No ☐ Yes

If yes, date completed:

Audit Recommendation:

Action Taken:

Next Steps:

Completed: ☐ No ☐ Yes

If yes, date completed:

FY 2023 Annual Report

Sunset Audit Recommendations (continued)

Audit Recommendation:

Action Taken:

Next Steps:

Completed: ☐ No ☐ Yes

If yes, date completed:

Audit Recommendation:

Action Taken:

Next Steps:

Completed: ☐ No ☐ Yes

If yes, date completed:

Audit Recommendation:

Action Taken:

Next Steps:

Completed: ☐ No ☐ Yes

If yes, date completed:

FY 2023 Annual Report

Sunset Audit Recommendations (continued)

Audit Recommendation:

Action Taken:

Next Steps:

Completed: ☐ No ☐ Yes

If yes, date completed:

Audit Recommendation:

Action Taken:

Next Steps:

Completed: ☐ No ☐ Yes

If yes, date completed:

Audit Recommendation:

Action Taken:

Next Steps:

Completed: ☐ No ☐ Yes

If yes, date completed: