

Statutes and Regulations **Barbers and Hairdressers**

January 2019



DEPARTMENT OF COMMERCE, COMMUNITY,
AND ECONOMIC DEVELOPMENT

***DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING***

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**CHAPTER 13.
BARBERS AND HAIRDRESSERS.**

Article

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(§§ 08.13.010—08.13.050)
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(§§ 08.13.070—08.13.195)
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**ARTICLE 1.
BOARD OF BARBERS AND HAIRDRESSERS.**

Section

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Sec. 08.13.010. Creation and membership of board. (a) There is created the Board of Barbers and Hairdressers consisting of seven members appointed by the governor.

(b) The board consists of

- (1) one person licensed as a barber under this chapter;
- (2) one person licensed to practice body piercing, tattooing, or permanent cosmetic coloring under this chapter;
- (3) two persons licensed as hairdressers under this chapter, one of whom is also licensed as an esthetician under this chapter;
- (4) one public member;
- (5) one person licensed to practice manicuring under this chapter; and
- (6) one person licensed to practice any activity licensed under this chapter.

Sec. 08.13.030. Powers and duties of the board. (a) The board shall exercise general control over the vocations of barbering, hairdressing, hair braiding, manicuring, esthetics, body piercing, tattooing, and permanent cosmetic coloring.

(b) The board shall

- (1) examine applicants and approve the issuance of licenses and permits to practice;
- (2) authorize the issuance of licenses for schools of barbering, hairdressing, manicuring, and esthetics;
- (3) develop written instructions and notices that tattooing, permanent cosmetic coloring, and body piercing shop owners and practitioners are required to give or display under AS 08.13.215;
- (4) enforce the provisions of this chapter, regulations adopted under this chapter, and regulations relating to barbering, hairdressing, hair braiding, manicuring, and esthetics adopted under AS 44.46.020(a)(5)(C).

(c) The board may

- (1) suspend or revoke a license or permit;
- (2) on its own motion or upon receipt of a written complaint, conduct hearings and request the
 - (A) Department of Commerce, Community, and Economic Development to investigate the practices of a person, shop, or school involved in the practice or teaching of barbering, hairdressing, hair braiding, manicuring, or esthetics, or
 - (B) Department of Commerce, Community, and Economic Development or the Department of Environmental Conservation to investigate the practices of a person, shop, or school involved in the practice or teaching of body piercing, tattooing, or permanent cosmetic coloring;
- (3) adopt regulations or do any act necessary to carry out the provisions of this chapter.

Sec. 08.13.040. Meetings and examinations. (a) The board shall meet as often as necessary to conduct its business. It shall conduct separate examinations covering the following fields of practice: barbering, hairdressing, advanced manicuring, and esthetics. Examinations shall be given at least twice in every year for each of these fields of practice for which applications for licensure or endorsements are pending. An applicant may take an examination in more than one field during the same testing session. The board may not require an applicant for licensure as a manicurist to take or pass an examination conducted by the board for the field of manicuring; however, nothing in this sentence prohibits the board from requiring a licensed manicurist to pass an examination to obtain an optional endorsement as an advanced manicurist under AS 08.13.080(f).

(b) The board may not require a person applying for a limited license to practice non-chemical barbering under AS 08.13.100(f) to take an examination that tests the person's knowledge of chemical processes, including permanent waving, bleaching, coloring, or chemical straightening.

Sec. 08.13.050. Records of the board. The Department of Commerce, Community, and Economic Development shall keep a record of the board's proceedings related to the issuance, refusal, suspension, and revocation of each license and permit. The record shall contain the name of the person to whom a license or permit is issued, the person's place of business, the date of issuance for each license and permit, and whether it is currently valid. The record shall be open to inspection by the public at all reasonable times.

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Sec. 08.13.070. License required. A person may not

- (1) practice barbering, hairdressing, hair braiding, manicuring, esthetics, body piercing, tattooing, or permanent cosmetic coloring without a license, temporary permit, temporary license, or student permit unless exempted under AS 08.13.160 (d);
- (2) practice barbering, hairdressing, hair braiding, manicuring, esthetics, body piercing, tattooing, or permanent cosmetic coloring except in a shop or school licensed under this chapter unless exempted under AS 08.13.160 (d) or permitted under AS 08.13.160 (e);
- (3) open or conduct a school of barbering, hairdressing, manicuring, or esthetics without a license;
- (4) teach in a school of barbering, hairdressing, manicuring, or esthetics, or supervise an apprentice in barbering, hairdressing, or esthetics without an instructor's license;
- (5) operate a shop in violation of AS 08.13.120 ;
- (6) permit an employee or other person being supervised who is not exempted under AS 08.13.160 (d) to practice barbering, hairdressing, hair braiding, manicuring, esthetics, body piercing, tattooing, or permanent cosmetic coloring without a license, temporary permit, temporary license, or student permit;
- (7) permit the use of the person's license, temporary permit, temporary license, or student permit by another person;
- (8) obtain or attempt to obtain a license, temporary permit, temporary license, or student permit by fraudulent means.

Sec. 08.13.080. Qualifications of applicants. (a) An applicant for an examination authorized under AS 08.13.040 must

- (1) have successfully completed all courses that a school with a curriculum in barbering approved by the board is required to teach in order to be licensed under AS 08.13.110 if applying for a license to practice barbering; the curriculum may be limited for non-chemical barbering under AS 08.13.100(f);
 - (2) have successfully completed all courses that a school with a curriculum in hairdressing approved by the board is required to teach to be licensed under AS 08.13.110 if applying for a license to practice hairdressing;
 - (3) have successfully completed all courses that a school with a curriculum in esthetics approved by the board is required to teach in order to be licensed under AS 08.13.110 if applying for a license to practice esthetics;
 - (4) have served an apprenticeship under AS 08.13.082;
 - (5) specify the field of practice in which the applicant intends to teach and have held a license to practice in the field for three years or have held a license in the field for one year and have completed 600 hours of student training as an instructor in the field of practice from a licensed school with a curriculum approved by the board if applying for a license as an instructor, except that a person licensed as an instructor in hairdressing may be an instructor in manicuring for courses that satisfy the requirements of (e) of this section, and the board may, by regulation, establish requirements for other manicuring instructors, including instructors who teach courses that satisfy requirements for an advanced manicurist endorsement; or
 - (6) have completed course work and, if applicable, an apprenticeship acceptable to the board.
- (b) *[Repealed, Sec. 12 ch 27 SLA 2015.]*
 - (c) *[Repealed, Sec. 12 ch 27 SLA 2015.]*
 - (d) An applicant for a license to practice body piercing, tattooing, or permanent cosmetic coloring shall
 - (1) satisfy the training requirement of AS 08.13.082 (d);

(2) by passing a written examination approved by the board, demonstrate to the board or the board's designee safety, sanitation, sterilization, aseptic, and practice techniques that indicate that the applicant has adequate knowledge of infection control practices and requirements relating to tattooing, permanent cosmetic coloring, or body piercing, as applicable; this demonstration may, at the option of the board, also include a practical examination in addition to the written examination; and

(3) pay the appropriate fee.

(e) An applicant for a license to practice manicuring shall

(1) submit documentation that the applicant has completed a course of 12 hours of instruction or training approved by the board that addresses health, safety, and hygiene concerns of manicuring customers and practitioners that are relevant to the practice of manicuring from a school licensed under AS 08.13.110 as a school of manicuring; documentation of completion of the course must include certification from the school that the applicant has passed a test given by the school covering the health, safety, and hygiene concerns of manicuring customers and practitioners that are relevant to the practice of manicuring; and

(2) pay the appropriate fee.

(f) An applicant for an endorsement to a license to practice manicuring or hairdressing indicating that the person is an advanced manicurist shall

(1) hold, or be approved for, a current license issued under this chapter for manicuring or hairdressing;

(2) request the endorsement;

(3) submit documentation from a licensed school of manicuring or hairdressing certifying completion of 250 hours of instruction in manicuring that meets the requirements of AS 08.13.110(e);

(4) pass an examination given by the board for advanced manicurists; and

(5) pay the appropriate fee.

(g) An applicant for a license to practice hair braiding shall

(1) apply in writing on a form prescribed by the board;

(2) complete, to the satisfaction of the board, 35 hours of instruction in hair braiding, health, safety, and sanitation

(A) at an accredited school of hairdressing;

(B) at a professional association of hairdressing or hair braiding; or

(C) from an individual or school licensed under this chapter and approved by the board; and

(3) pay the appropriate fee.

Sec. 08.13.082. Apprenticeship. (a) The period of apprenticeship required to qualify an applicant for a license to practice barbering is 2,000 hours. The apprenticeship must be served in a shop approved by the board. The apprenticeship may not be completed in less than 12 months from the date of its commencement and must be completed in not more than two years from the date of its commencement. The board may set by regulation a period of apprenticeship of less than 2,000 hours for an applicant for a license to practice non-chemical barbering. The board may not require an applicant for a license to practice non-chemical barbering under AS 08.13.100(f) to perform apprenticeship hours or practical operations relating to chemical processes, including permanent waving, bleaching, coloring, or chemical straightening.

(b) The period of apprenticeship required to qualify an applicant for a license to practice hairdressing is 2,000 hours. The apprenticeship must be served in a shop approved by the board. The apprenticeship may not be completed in less than one year from the date of its commencement and must be completed in not more than two years from the date of its commencement.

(c) The period of apprenticeship required to qualify an applicant for a license to practice esthetics is 350 hours. The apprenticeship must be served in a shop approved by the board. The apprenticeship may not be completed in less than six months from the date of its commencement and must be completed in not more than one year from the date of its commencement.

(d) The number of hours of training required to qualify an applicant for a license to practice tattooing, permanent cosmetic coloring, or body piercing shall be set by the board in regulations. The trainee must be at least 18 years of age when the training commences. The training required under this subsection

(1) may only be received

(A) in a licensed shop in this state under a person who has a practitioner's license under this chapter in the field in which the trainee seeks training; or

(B) outside the state from a person approved by the board at a site approved by the board;

(2) must include at least 12 hours of training in safety, sanitation, sterilization, aseptic, and other practices necessary to prevent transmission of diseases and infection;

(3) shall be completed in not more than 12 months from the date of its commencement; and

(4) shall be documented by certification from the trainer that the training was successfully completed by the trainee.

(e) *[Repealed, Sec. 12 ch 12 SLA 2017.]*

Sec. 08.13.090. Examinations and other requirements. (a) A written examination shall be given to each applicant for examination at a time and place determined by the board. The board may delegate the power of examination to a committee of the board or a board member.

(b) The written examination must cover subjects designated by the board and must test the applicant's knowledge of sanitary practices, safety of all procedures, and use of instruments, equipment, and chemicals permitted within the field of practice for which the applicant is seeking a license.

(c) The board may by regulation establish requirements for a practical examination for licensure.

Sec. 08.13.100. License. (a) The board shall authorize the issuance of a license for the practice of barbering, hairdressing, or esthetics to each qualified applicant who has passed an examination under AS 08.13.090 and meets other applicable requirements under this chapter. The board shall authorize the issuance of a license for the practice of tattooing, permanent cosmetic coloring, or body piercing to each applicant who has satisfied the requirements of AS 08.13.080(d). The board shall authorize the issuance of a license to practice manicuring to each applicant who has satisfied the requirements of AS 08.13.080(e). The board shall authorize the issuance of an endorsement to a license to practice manicuring or hairdressing indicating that the person is an advanced manicurist to each applicant who has satisfied the requirements of AS 08.13.080(f). The board shall authorize the issuance of a license for the practice of hair braiding to each applicant who has satisfied the requirements of AS 08.13.080(g).

(b) A practitioner license must state the areas of practice (barbering, non-chemical barbering, hairdressing, hair braiding, manicuring, esthetics, tattooing, permanent cosmetic coloring, or body piercing) that the practitioner is qualified to perform.

(c) The board may by regulation create areas of limited professional licensing in the field of esthetics. Any limitation must be stated on the license.

(d) A person who holds a current valid license from a board of barbering, hairdressing, manicuring, or esthetics in another state or who is licensed by another state to practice hair braiding, tattooing, permanent cosmetic coloring, or body piercing is entitled to a license or endorsement under this chapter without examination or a new period of training in this state. An application must include

(1) proof of a valid license issued by another licensing jurisdiction; and

(2) proof of completed training, testing, and working experience that the board finds to meet the minimum requirements of this state.

(e) A person licensed as an instructor is considered to be licensed as a practitioner and is subject to the same requirements that a practitioner is subject to, in the same area for which the person is licensed as an instructor, except that, for purposes of setting fees under AS 08.01.065, the department shall consider instructors to be an occupation separate from practitioners. An instructor license shall state the areas of practice (barbering, hairdressing, manicuring, or esthetics) in which the licensee is qualified to instruct and practice.

(f) The board shall by regulation create an area of limited professional licensing in the field of barbering for non-chemical barbering that allows a person to practice barbering without the use of chemicals and chemical processes. The limitation must be stated on the license.

Sec. 08.13.110. School license. (a) The board shall adopt regulations for the licensing of schools of barbering, hairdressing, manicuring, and esthetics. The regulations must include details of the curriculum, minimum hours of instruction, physical condition of the facilities, and financial responsibility of the owner. The curriculum required for a school of hairdressing must include the curriculum required for a school of manicuring.

(b) *[Repealed, Sec. 12 ch 27 SLA 2015.]*

(c) *[Repealed, Sec. 12 ch 27 SLA 2015.]*

(d) The board shall issue a license to a school of manicuring if the school offers a curriculum of 12 hours of instruction or training approved by the board that addresses health, safety, and hygiene concerns of manicuring customers and practitioners that are relevant to the practice of manicuring. A school of manicuring may offer instruction in addition to the 12 hours required for a license, but the board may not issue a license to a school of manicuring if the school requires its students to complete more than 12 hours of the required instruction or training in health, safety, and hygiene concerns before the school will certify that the student has completed the school's manicuring course for purposes of AS 08.13.080(e).

(e) A school of manicuring may seek approval from the board for a curriculum designed to qualify students for an advanced manicurist endorsement. The board shall establish the curriculum requirements applicable under this subsection through its authority under (a) of this section.

Sec. 08.13.120. Shop license. (a) The board shall adopt regulations for the licensing of shops. The regulations must require that a shop for tattooing, permanent cosmetic coloring, or body piercing be inspected and certified by the Department of Environmental Conservation as being in compliance with the regulations adopted under AS 44.46.020 before a shop license may be issued under this subsection. A shop owner shall be licensed to operate a shop without examination, but, unless the shop owner is a practitioner, the shop owner may not conduct business without employing a manager who is a practitioner. This subsection does not apply to a shop for the practice of barbering, hairdressing, hair braiding, or esthetics located in a community having a population of less than 1,000 people that is not within 25 miles of a community of more than 1,000 people.

(b) The regulations adopted under (a) of this section must include provisions under which the board may issue a temporary shop license to a person who has a license or temporary permit under this chapter to practice tattooing, permanent cosmetic coloring, or body piercing. The temporary shop license authorized under this subsection may only be issued to cover a site where the practitioner intends to hold a workshop or to demonstrate techniques as part of a convention or other special event, as defined by the board, that includes other practitioners of tattooing, permanent

cosmetic coloring, or body piercing. Each practitioner of tattooing, permanent cosmetic coloring, or body piercing who holds a workshop or demonstrates techniques at a convention or special event shall have a separate temporary shop license and a license or temporary permit under this chapter to practice tattooing, permanent cosmetic coloring, or body piercing. The board shall issue a temporary shop license upon receipt of an application from a practitioner demonstrating compliance with the regulations adopted under this section and payment of the appropriate fee; however, the temporary shop license may be summarily revoked, without refunding of the fee, if the Department of Environmental Conservation determines after an inspection that the cleanliness or sanitation conditions at the site covered by the temporary license pose a clear and immediate danger to the public health or safety. A licensee may appeal a summary revocation under this subsection to the superior court.

Sec. 08.13.130. Display of license or permit. (a) A practitioner shall display the practitioner's license in a conspicuous location in the practitioner's place of business. Each shop owner is responsible for the conspicuous display of the shop's license and the licenses of employees and individuals renting booths in the shop. A person holding a student permit, temporary license, or temporary permit shall display the permit or license in a conspicuous location in the school in which the person is enrolled or the shop in which the person works. The school or shop owner is responsible for the display of a permit or license for each enrolled student, apprentice, or temporary license holder.

(b) A license issued to a manicurist by the department must state that the manicurist has successfully completed a course of instruction or training in health, safety, and hygiene concerns related to the practice of manicuring.

Sec. 08.13.140. Lapsed license. A lapsed license may be reinstated if the license has not been lapsed for a period of more than three years, or otherwise at the discretion of the board, and all renewal and delinquent fees for the period during which the license has been lapsed are paid.

Sec. 08.13.150. Disciplinary sanctions and grounds for refusal of a license or permit. The board may, in addition to the actions authorized under AS 08.01.075, refuse, suspend, or revoke a license, student permit, temporary license, or temporary permit for failure to comply with this chapter, with a regulation adopted under this chapter, with a regulation adopted by the Department of Environmental Conservation under AS 44.46.020, or with an order of the board.

Sec. 08.13.160. Application of license requirements. (a) A person holding a valid license to practice barbering under former AS 08.12 is licensed under this chapter and may continue to practice barbering under the conditions imposed by former AS 08.12 and the regulations adopted under former AS 08.12 until the license expires.

(b) A person holding a valid license under former AS 08.28 may continue to practice under the conditions imposed under former AS 08.28 and the regulations adopted under former AS 08.28 until the license expires.

(c) A person holding a valid license issued under former AS 08.12 or former AS 08.28 shall be entitled upon its expiration to a license to practice under this chapter in the field of practice for which the person was originally licensed, without meeting requirements for new licensure.

(d) The licensing and permit provisions of this chapter do not apply to

(1) a person practicing barbering, hairdressing, hair braiding, manicuring, or esthetics in a community having a population of less than 1,000 people that is not within 25 miles of a community of more than 1,000 people and who does not use chemicals or uses only chemicals available to the general public;

(2) a licensed health care professional;

(3) a person licensed by another licensing jurisdiction in a field of practice licensed by this chapter while demonstrating techniques or products to persons holding licenses or permits under this chapter;

(4) a person practicing tattooing, permanent cosmetic coloring, or body piercing solely on the person's own body;

(5) the practice of manicuring by a student as part of instruction in a 12-hour course approved under AS 08.13.110(d).

(e) The board shall adopt regulations to permit a person licensed under this chapter to practice barbering, hairdressing, hair braiding, manicuring, or esthetics outside a licensed shop or school for limited purposes including

(1) care of clients confined to an institution or health care facility;

(2) care of clients with limited mobility;

(3) participation in charitable events; and

(4) participation in workshops or demonstrations of techniques or products.

(f) A person licensed under this chapter to practice hairdressing is considered to be licensed to practice manicuring, hair braiding, and limited esthetics under the same license.

Sec. 08.13.170. Temporary permits. The department shall issue a temporary permit to an applicant for licensing who holds a license to practice barbering, hairdressing, hair braiding, manicuring, esthetics, tattooing, permanent cosmetic coloring, or body piercing in another state. The permit is valid until the board either issues a permanent license or rejects the application. The board shall act on an application within six months.

Sec. 08.13.175. Temporary license. A person who meets the requirements of AS 08.13.080(a)(1), (2), (3), (4), or (6) is entitled to be temporarily licensed after applying for examination under this chapter if the applicant works under the direct supervision, and within the physical presence, of a person who is licensed in the area of practice for which

the applicant has applied for examination. A temporary license issued under this section is valid for 120 days and is nonrenewable. A person may not receive more than one temporary license for each area of practice licensed under this chapter. An application for a temporary license must be signed by the supervising licensee and accompanied by the temporary license fee required under AS 08.13.185.

Sec. 08.13.180. Student permits. A person attending a licensed school of barbering, hairdressing, manicuring, or esthetics and a person apprenticed to a licensed instructor in a shop approved by the board or receiving training from a practitioner of tattooing, permanent cosmetic coloring, or body piercing shall obtain a student permit. A student permit to practice barbering or hairdressing is valid for two years. A student permit to practice esthetics, tattooing, permanent cosmetic coloring, or body piercing is valid for one year. A student permit may not be renewed, but, upon application, the board may issue a new permit to the same person or extend an expired permit to the date of the next scheduled examination. Credit earned under an expired student permit may be transferred to a new permit as determined by the board.

Sec. 08.13.183. Use of title; unlicensed use prohibited. (a) A person licensed to practice manicuring in the state may use the title "licensed nail technician."

(b) A person who uses the title "licensed nail technician" who is not licensed to practice manicuring under this chapter is guilty of a violation.

Sec. 08.13.185. Fees. (a) The Department of Commerce, Community, and Economic Development shall set fees under AS 08.01.065 for initial licenses and renewals for the following:

- (1) schools;
- (2) school owners;
- (3) instructor;
- (4) shop owner;
- (5) practitioner of barbering;
- (6) practitioner of hairdressing;
- (7) practitioner of manicuring;
- (8) practitioner of esthetics;
- (9) practitioner of tattooing;
- (10) practitioner of body piercing;
- (11) temporary shop license;
- (12) temporary permit;
- (13) temporary license;
- (14) student permit;
- (15) endorsement for advanced manicuring;
- (16) practitioner of hair braiding;
- (17) practitioner of permanent cosmetic coloring;
- (18) practitioner of non-chemical barbering.

(b) The department shall set fees under AS 08.01.065 for examination and investigation.

Sec. 08.13.190. Failure to possess a license or permit. (a) A person who practices barbering, hairdressing, hair braiding, esthetics, tattooing, permanent cosmetic coloring, or body piercing, or operates a shop, or operates a school of barbering, hairdressing, or esthetics, or teaches in a school of barbering, hairdressing, or esthetics, without a license, temporary permit, temporary license, or student permit and who is not exempt under AS 08.13.120 or under AS 08.13.160(d) is guilty of a class B misdemeanor.

(b) A person who practices manicuring, operates a shop for manicuring, operates a school of manicuring, or teaches in a school of manicuring without the appropriate license, temporary permit, temporary license, or student permit and who is not exempt under AS 08.13.120 or 08.13.160(d) is guilty of a violation.

Sec. 08.13.195. Civil penalty. (a) In addition to any other provision of law, if a person violates AS 08.13.070 or 08.13.217, the board may enter an order levying a civil penalty.

(b) A civil penalty levied under this section may not exceed \$5,000 for each offense. In levying a civil penalty, the board shall set the amount of the penalty imposed under this section after taking into account appropriate factors, including the seriousness of the violation, the economic benefit resulting from the violation, the history of violations, and other matters the board considers appropriate.

(c) Before issuing an order under this section, the board shall provide the person written notice and the opportunity to request, within 30 days of issuance of notice by the board, a hearing on the record.

(d) In connection with proceedings under (a) and (b) of this section, the board may issue subpoenas to compel the attendance and testimony of witnesses and the disclosure of evidence, and may request the attorney general to bring an action to enforce a subpoena.

(e) A person aggrieved by the levy of a civil penalty under this section may file an appeal with the superior court for judicial review of the penalty under AS 44.62.560 .

(f) If a person fails to pay a civil penalty within 30 days after entry of an order under (a) of this section, or if the order is stayed pending an appeal, within 10 days after the court enters a final judgment in favor of the board of an

order appealed under (e) of this section, the board shall notify the attorney general. The attorney general may commence a civil action to recover the amount of the penalty.

(g) An action to enforce an order under this section may be combined with an action for an injunction under AS 08.01.087.

ARTICLE 3. GENERAL PROVISIONS.

Section

210. Health and sanitary conditions

215. Notification requirements for tattooing, permanent cosmetic coloring, and body piercing

217. Tattooing and permanent cosmetic coloring or body piercing on a minor

220. Definitions

Sec. 08.13.210. Health and sanitary conditions. (a) Health and sanitary conditions in shops and schools of
(1) barbering, hairdressing, hair braiding, manicuring, and esthetics shall be supervised by the board
(2) tattooing, permanent cosmetic coloring, and body piercing shall be supervised by the Department of Environmental Conservation.

(b) The Department of Environmental Conservation shall conduct an annual inspection of each shop licensed for the practice of tattooing, permanent cosmetic coloring, or body piercing to ensure that the shop meets the department's standards of cleanliness and sanitation established under AS 44.46.020. If the Department of Environmental Conservation determines that the shop is not in compliance with a regulation of the department, the department shall report the violation to the board and take appropriate action under its own regulations.

Sec. 08.13.215. Notification requirements for tattooing, permanent cosmetic coloring, and body piercing. (a) Before performing a tattooing, permanent cosmetic coloring, or body piercing procedure on a client, a practitioner shall give written educational information, approved by the board, to the client.

(b) After completing a tattooing, permanent cosmetic coloring, or body piercing procedure on a client, the practitioner shall give written aftercare instructions, approved by the board, to the client. The written instructions

- (1) must include advice to the client to consult a physician at the first sign of infection;
- (2) must contain the name, address, and telephone number of the shop where the procedure was performed;
- (3) shall be signed and dated by the client and the practitioner; the practitioner shall keep the original and provide a copy to the client.

(c) The owner of a shop for tattooing, permanent cosmetic coloring, or body piercing shall prominently display
(1) a copy of the statement provided by the board under AS 08.13.030(b) that advises the public of the health risks and possible consequences of tattooing, permanent cosmetic coloring, or body piercing, as applicable;

(2) the names, addresses, and telephone numbers of the Department of Commerce, Community, and Economic Development and the Department of Environmental Conservation and a description of how a complaint about the shop or a practitioner in the shop may be filed with either entity or with the board.

Sec. 08.13.217. Tattooing and permanent cosmetic coloring or body piercing on a minor. (a) A person may not practice tattooing or permanent cosmetic coloring on a minor.

(b) A person may not practice body piercing on a minor without prior written permission from the minor's parent or legal guardian and the presence of the parent or legal guardian during the body piercing procedure. The person who performs the body piercing shall keep a copy of the written permission on file for at least three years.

(c) A person who with criminal negligence violates this section is guilty of a class B misdemeanor. In this subsection, "criminal negligence" has the meaning given in AS 11.81.900.

Sec. 08.13.220. Definitions. In this chapter,

(1) "apprentice" means a person who receives on-the-job training under direct supervision;
(2) "barbering" means shaving, trimming, or cutting, styling, curling, permanent waving, bleaching, coloring, cleansing, or chemically straightening the beard or hair of a living person for a fee and for cosmetic purposes;

(3) "board" means the Board of Barbers and Hairdressers;

(4) "body piercing" means puncturing the body of a person by aid of needles or other instruments designed to be used to puncture the body for the purpose of inserting jewelry or other objects in or through the human body, except that, for purposes of this chapter, "body piercing" does not include puncturing the external part of the human ear;

(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;

(6) "hairdressing" means performing, for a fee, the following services for cosmetic purposes:

(A) trimming or cutting the beard of a living person; and

(B) arranging, styling, dressing, curling, temporary waving, permanent waving, cutting, singeing, bleaching, coloring, cleansing, conditioning, or similar work on the hair of a living person;

- (7) "instructor" means a person who teaches barbering, hairdressing, manicuring, or esthetics in a school or who supervises an apprentice in barbering, hairdressing, or esthetics;
- (8) "limited esthetics" means to perform for a fee for cosmetic purposes
- (A) temporary removal of superfluous hair on the face or neck, including eyebrow arching by use of wax; or
- (B) application of makeup or false eyelashes.
- (9) "manicuring"
- (A) means, for a fee, to
- (i) cut, trim, polish, color, tint, or cleanse a natural or artificial nail;
- (ii) affix material by artificial means to a natural nail for the addition to or extension of the natural nail;
- (iii) cleanse, treat, or beautify the hands or feet for cosmetic purposes; or
- (iv) otherwise treat the nails of the hand or foot except as provided in (B) of this paragraph;
- (B) notwithstanding (A) of this paragraph, does not include
- (i) massage treatment; or
- (ii) cleansing, treating, or beautifying the hands or feet solely for the treatment of disease or physical or mental ailments.
- (10) "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;
- (11) "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;
- (12) "shop" is an establishment operated for the purpose of engaging in barbering, hairdressing, hair braiding, manicuring, esthetics, tattooing, permanent cosmetic coloring, or body piercing;
- (13) "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;
- (14) "hair braiding" means braiding natural hair, natural fibers, synthetic fibers, and hair extensions, trimming hair extensions for braiding purposes, and attaching natural and synthetic hair by braiding for cosmetic purposes and for a fee; "hair braiding" does not include styling wigs or making wigs;
- (15) "non-chemical barbering" means shaving, trimming, cutting, styling, or curling the beard or hair of a living person for a fee and for cosmetic purposes;
- (16) "permanent cosmetic coloring" means tattooing for the purpose of simulating hair or makeup, such as permanent eyeliner, lip color, eyebrows, and eyeshadow.

**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. Station assigned and equipment**
- 35. Models**
- 38. Computation of grades**

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 license by examination. A 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 1,650 hours of training in a school approved by the board;
 - (B) certification from another state's licensing agency, bearing the seal of that state, that the applicant has successfully completed 1,650 hours of training that included the minimum number of practical operations set out in 12 AAC 09.160 in a school approved by that state's licensing agency;
 - (C) student monthly records verifying that the applicant has successfully completed 2,000 hours of training in an apprenticeship program approved by the board;
 - (D) certification from another state's licensing agency, bearing the seal of that state, that the applicant has successfully completed 2,000 hours of training that included the minimum number of practical operations set out in 12 AAC 09.160 in an apprenticeship program approved by that state's licensing agency; or
 - (E) a combination of the records required in this paragraph that verify the equivalent of 2,000 apprenticeship hours or 1,650 hours of course work when evaluated using the criteria in 12 AAC 09.090(b);
- (3) pays the application fee established in 12 AAC 02.140;
- (4) pays the written and practical examination fees established in 12 AAC 02.140;
- (5) passes the written examination described in 12 AAC 09.056;

- (6) passes all subjects of the practical examination described in 12 AAC 09.056; and
 - (7) pays the initial biennial license fee in 12 AAC 02.140.
- (c) The following checklist is established by the board for review of an application for a hairdresser license by examination. A hairdresser license will be issued to an applicant who
- (1) submits the documents and fees required by (b)(1) - (4) and (7) of this section;
 - (2) passes the written examination described in 12 AAC 09.060; and
 - (3) passes all subjects of the practical examination described in 12 AAC 09.060.
- (d) The following checklist is established by the board for review of an application for an esthetics license by examination. An esthetics license will be issued to an applicant who
- (1) submits the documents and fees required by (b)(1), (3), (4), and (7) of this section;
 - (2) submits original or certified true copies of
 - (A) student monthly records verifying that the applicant has successfully completed 350 hours of training in a school approved by the board;
 - (B) a certification from another state's licensing agency, bearing the seal of that state, that the applicant has successfully completed 350 hours of training, including the minimum number of practical operations set out in 12 AAC 09.163, in a school approved by that state's licensing agency;
 - (C) student monthly records verifying that the applicant has successfully completed 350 hours of training in an apprenticeship program approved by the board; or
 - (D) a certification from another state's licensing agency, bearing the seal of that state, that the applicant has successfully completed 350 hours of training, including the minimum number of practical operations set out in 12 AAC 09.163, in an apprenticeship program approved by that state's licensing agency;
 - (3) passes the written examination described in 12 AAC 09.065; and
 - (4) passes all subjects of the practical examination described in 12 AAC 09.065.
- (e) The following checklist is established by the board for review of an application for a barber or hairdresser license by waiver of examination. A barber or hairdresser license will be issued to an applicant who
- (1) submits the documents and fees required by (b)(1), (3), and (7) of this section;
 - (2) submits a verification form completed by another state's licensing agency, bearing the seal of that state, showing that the applicant
 - (A) holds a current license to practice barbering or hairdressing in that state; and
 - (B) qualified for licensure by passing a written and practical examination;
 - (3) submits verification of training and work experience that meets the requirements in 12 AAC 09.095(a)(3) or (b).
- (f) The following checklist is established by the board for review of an application for an esthetics license by waiver of examination. An esthetics license will be issued to an applicant who submits
- (1) the documents and fees required by (b)(1), (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 an esthetician in that state; and
 - (B) qualified for licensure as an esthetician by passing a written and practical examination;
 - (3) verification of training that meets the requirements in 12 AAC 09.100.
- (g) The following checklist is established by the board for review of an application for a student permit while attending a licensed school of barbering, hairdressing, or esthetics. A student permit for an applicant attending an approved school will be issued to an applicant who submits
- (1) a completed form for application under this chapter;
 - (2) the application fee established in 12 AAC 02.140;
 - (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) the application fee established in 12 AAC 02.140;
 - (3) the permit fee established in 12 AAC 02.140; and
 - (4) verification of one year of practice as a barber, hairdresser, manicurist, or esthetician that meets the requirements in 12 AAC 09.115.
- (i) The following checklist is established by the board for review of an application for an instructor license by examination. An instructor license will be issued to an applicant who
- (1) submits the documents and fees required by (b)(1), (3), (4), and (7) of this section;
 - (2) submits verification of a current license to practice as a barber, hairdresser, manicurist, or esthetician in this state;
 - (3) submits verification of at least
 - (A) three years of practice as a licensed barber, hairdresser, esthetician, or manicurist in this state or another jurisdiction; or
 - (B) one year of practice as a licensed barber, hairdresser, esthetician, or manicurist in this state or another jurisdiction followed by 600 hours of student instructor training in a school approved by the board or another licensing jurisdiction;

- (4) passes the written examination described in 12 AAC 09.070; and
 - (5) passes the practical examination described in 12 AAC 09.070; a practical examination is not required for a manicurist.
- (j) The following checklist is established by the board for review of an application for an instructor license by waiver of examination. An instructor license will be issued to an applicant
- (1) who submits the documents and fees required by (b)(1), (3), and (7) of this section;
 - (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 and practical 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
- (1) submits the documents and fees required by (b)(1), (3), (4), and (7) of this section;
 - (2) submits a certification, on a form provided by the department, from the applicant's trainer certifying that the applicant successfully completed the training requirements of AS 08.13.082(d) and either 12 AAC 09.167(a) - (c) or 12 AAC 09.167(e);
 - (3) submits certified true copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in
 - (A) cardiopulmonary resuscitation (CPR); and
 - (B) blood borne pathogens; and
 - (4) passes the written examination described in 12 AAC 09.068.
- (p) The following checklist is established by the board for review of an application for a license by waiver of examination to practice body piercing. A license to practice body piercing will be issued to an applicant who submits
- (1) the documents and fees required by (b)(1), (3), and (7) of this section;
 - (2) a verification form completed by another state's licensing agency, bearing the seal of that state, showing that the applicant
 - (A) holds a current license to practice body piercing in that state; and
 - (B) qualified for licensure to practice body piercing in that state by passing a written examination;
 - (3) certified true copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in
 - (A) cardiopulmonary resuscitation (CPR); and
 - (B) blood borne pathogens; and
 - (4) verification of training equivalent to that described in AS 08.13.082(d) and 12 AAC 09.167(a) - (c).

(q) The following checklist is established by the board for review of an application for a license by examination to practice tattooing and permanent cosmetic coloring. A license to practice tattooing and permanent cosmetic coloring will be issued to an applicant who

- (1) submits the documents and fees required by (b)(1), (3), (4), and (7) of this section;
- (2) submits a certification, on a form provided by the department, from the applicant's trainer certifying that the applicant successfully completed the training requirements of AS 08.13.082(d) and either 12 AAC 09.169(a) and (b) or 12 AAC 09.169(d);
- (3) submits certified true copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in
 - (A) cardiopulmonary resuscitation (CPR); and
 - (B) blood borne pathogens; and
- (4) passes the written examination described in 12 AAC 09.068.

(r) The following checklist is established by the board for review of an application for a license by waiver of examination to practice tattooing and permanent cosmetic coloring. A license to practice tattooing and permanent cosmetic coloring will be issued to an applicant who submits

- (1) the documents and fees required by (b)(1), (3), and (7) of this section;
- (2) a verification form completed by another state's licensing agency, bearing the seal of that state, showing that the applicant
 - (A) holds a current license to practice tattooing and permanent cosmetic coloring in that state; and
 - (B) qualified for licensure to practice tattooing and permanent cosmetic coloring in that state by passing a written examination;
- (3) submits certified true copies of current cards issued by the American Red Cross, the American Heart Association, or a similar organization approved by the board, showing that the applicant successfully completed training courses in
 - (A) cardiopulmonary resuscitation (CPR); and
 - (B) blood borne pathogens; and
- (4) verification of training equivalent to that described in AS 08.13.082(d) and 12 AAC 09.169(a) and (b).

(s) The following checklist is established by the board for review of an application for a courtesy license to practice body piercing or to practice tattooing and permanent cosmetic coloring. A courtesy license to practice body piercing or to practice tattooing and permanent cosmetic coloring will be issued 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 practicing, submits

- (1) a complete, notarized application on a form provided by the department;
- (2) the applicable fees established in 12 AAC 02.140;
- (3) verification of practicing body piercing for a fee, or of practicing tattooing and permanent cosmetic coloring for a fee, for at least 12 of the 24 consecutive months immediately preceding the date of application; the proof must include one of the following or a combination of the following:
 - (A) at least two sworn affidavits from students or employees verifying the applicant's experience;
 - (B) at least one copy per month of a client release form for at least 12 of the 24 consecutive months immediately preceding the date of application;
- (4) a statement signed by the applicant's sponsor verifying that the sponsor is a practitioner of body piercing or practitioner of tattooing and permanent cosmetic coloring who holds a permanent license in this state and will sponsor the applicant; and
- (5) certified true 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 or for tattooing and permanent cosmetic coloring by a licensed practitioner in an apprenticeship program in a licensed shop. A student permit to obtain training for body piercing or for tattooing and 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) certified true 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.

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 or to practice tattooing and 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 and permanent cosmetic coloring must have a sponsor who holds a permanent license to practice tattooing and 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 for a fee, or of practicing tattooing and 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 or to practice tattooing and 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
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12 AAC 09.005. APPLICATION FOR EXAMINATION. (a) A completed, notarized application for examination as a barber, hairdresser, advanced manicurist, esthetician, practitioner of body piercing, practitioner of tattooing and 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 (3) of this section no later than 30 days prior to the date of the examination that the applicant wishes to take.

(e) Except as provided in 12 AAC 09.075(g), 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 until grading has been completed by the examiners.

(c) An applicant may not make a reference orally or in writing to an examiner about any school of barbering, hairdressing, manicuring, esthetics, body piercing, or tattooing and permanent cosmetic coloring, instructor, or present licenses held until grading has been completed by the examiners.

(d) Equipment, supplies, apparel, or items that are to be turned in to the board may not identify the applicant except by the number assigned by the department or its designee.

Authority: AS 08.13.030 AS 08.13.090

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

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

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

Authority: AS 08.13.080 AS 08.13.090

12 AAC 09.030. STATION ASSIGNED AND EQUIPMENT. (a) Each applicant will be assigned a station equipped with a chair in which he or she will perform the required practical operations. Any change in station assignment must be approved by an examiner.

(b) An applicant must furnish the tools and supplies for the practical examination as designated by the board.

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.035. MODELS. (a) An applicant shall secure his or her own model for the practical examination.

(b) An applicant shall provide the board with a statement of release of liability of the state and the applicant as executed by the model on a form provided by the department.

(c) An applicant shall provide the board with his or her model's name, age (if under 18 years of age), address and telephone number.

(d) A model for the practical examination must be at least 15 years of age.

(e) A model for the practical examination may not be a licensed barber, hairdresser, or esthetician, or a student or shop apprentice.

(f) A model for the practical examination who is under 18 years of age must obtain the signature of a parent or legal guardian on the statement of release required in (b) of this section.

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.038. COMPUTATION OF GRADES. An applicant's final grade for each subject of the practical section of the examination is computed by totaling the number of points given to him or her by each examiner and dividing that total by the number of examiners grading the applicant.

Authority: AS 08.13.030 AS 08.13.090

**ARTICLE 2.
BARBER EXAMINATION.**

Repealed 2/28/88

**ARTICLE 3.
EXAMINATIONS.**

Section

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

12 AAC 09.056. CONTENT AND GRADING CRITERIA FOR BARBER EXAMINATION. (a) The examination for a barber license consists of the following sections:

- (1) a written examination entitled the *National Barber-Stylist Test*, sponsored by the National Interstate Council of State Boards of Cosmetology; and
- (2) a practical examination with a maximum grade of 100 points in each of the following subjects:
 - (A) permanent waving;
 - (B) virgin tint;
 - (C) bleach touch-up and highlighting;
 - (D) haircutting, hair styling, and drying (not including finger waves, pin curls, and rollers); and
 - (E) shaving.
- (b) Sanitation, comfort, and protection of the model are included in the grading of each subject of the practical examination.
- (c) A passing grade on the written examination is 75 percent or above.
- (d) A passing grade on each subject of the practical examination listed in (a)(2) of this section is 75 points or more.
- (e) No foreign language interpreters are allowed in the written or practical examination room.

Authority: AS 08.13.030 AS 08.13.090

12 AAC 09.060. CONTENT AND GRADING CRITERIA FOR HAIRDRESSER EXAMINATION. (a) The examination for a hairdresser license consists of the following sections:

- (1) a written examination entitled the *National Hair Design Test*, sponsored by the National Interstate Council of State Boards of Cosmetology; and
- (2) a practical examination with a maximum grade of 100 points in each of the following subjects:
 - (A) permanent waving;
 - (B) virgin tint;
 - (C) bleach touch-up and highlighting;
 - (D) haircutting (not including clipper cut), blower drying, and curling with a hot curling iron; and
 - (E) hair styling (including finger waves, pin curls, and rollers).
- (b) Sanitation, comfort, and protection of the model are included in the grading of each subject of the practical examination.
- (c) A passing grade on the written examination is 75 percent or above.
- (d) A passing grade on each subject of the practical examination listed in (a)(2) of this section is 75 points or more.
- (e) No foreign language interpreters are allowed in the written or practical examination room.

Authority: AS 08.13.030 AS 08.13.090

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

12 AAC 09.065. CONTENT AND GRADING CRITERIA FOR ESTHETICIAN EXAMINATION. (a) The examination for an esthetician consists of the following sections:

(1) a written examination entitled the *National Esthetician Test*, sponsored by the National Interstate Council of State Boards of Cosmetology; and

(2) a practical examination with a maximum grade of 100 points as may be given by an examiner in each of the following subjects:

- (A) facial massage;
- (B) skin and eye care;
- (C) makeup;
- (D) waxing and hair removal.

(b) Sanitation, comfort and protection of model will be included in the grading of each subject of the practical examination.

(c) A grade of at least 75 percent on the written examination section and a grade of at least 75 percent on each subject of the practical examination section is a passing grade.

(d) No foreign language interpreters are allowed in the written or practical examination room.

Authority: AS 08.13.030 AS 08.13.090

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

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

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

Authority: AS 08.13.030 AS 08.13.040 AS 08.13.090

12 AAC 09.068. BODY PIERCING AND TATTOOING AND PERMANENT COSMETIC COLORING EXAMINATIONS. (a) The examination for a license to practice body piercing or to practice tattooing and permanent cosmetic coloring is a written examination prepared and administered by the board covering the subjects listed in AS 08.13.080(d)(2).

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

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

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.090

12 AAC 09.070. CONTENT AND GRADING CRITERIA FOR INSTRUCTOR EXAMINATION. (a) The instructor examination consists of a written examination and a practical examination.

(b) The written examination for an instructor license is the *National Teachers Test*, sponsored by the National Interstate Council of State Boards of Cosmetology.

(c) The practical examination, with a maximum grade of 100 points, is a 30-minute demonstration of a practical and theoretical lesson plan. From the category identified by the applicant, the board will choose at random the specific skill to be demonstrated. The categories, and specific skills within each category, are as follows:

- (1) barbering;
 - (A) haircutting;
 - (B) hair styling and drying;
 - (C) permanent waving;
 - (D) haircoloring;
 - (E) shaving;
 - (F) scalp treatment;
- (2) hairdressing;
 - (A) haircutting;
 - (B) hair styling and drying;
 - (C) permanent waving;
 - (D) virgin tint;
 - (E) bleach touch-up and highlighting;
 - (F) chemical hair relaxing;
 - (G) scalp treatment;
- (3) esthetics;
 - (A) facial massage;
 - (B) skin and eye care;
 - (C) makeup;

- (D) waxing and hair removal.
- (d) A passing grade on the written examination is 75 percent or above. A passing grade on the practical examination is 75 points or more.
- (e) No foreign language interpreters are allowed in the examination room.

Authority: AS 08.13.030 AS 08.13.090

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

12 AAC 09.075. REEXAMINATION. (a) An applicant who fails the entire examination, or one section of the examination may be reexamined at a future examination, subject to the limitations of (f) of this section.

(b) Except as provided in (g) of this section, an applicant who fails one or more subjects of the practical section of the examination may be reexamined in only a failed subject.

(c) Except as provided in (g) of this section, an applicant who fails the written section of the examination, but passes the practical section of the examination, may be reexamined in only the failed section.

(d) An applicant who fails the practical section of the instructor examination may be reexamined in the entire section.

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

(f) At least 30 days before the next scheduled examination date, an applicant who fails the written section of the examination or any required subject of the practical section of the 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 practical section of the examination shall provide documentation to the board of successful completion of 50 hours of training in each practical examination subject failed. An applicant applying under this subsection to retake the written section of the 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.

(g) An applicant who does not pass all required subjects of all sections of the examination within three years after the date the examination was first administered to the applicant shall retake and pass all required subjects of all sections, including the subjects and sections previously passed, to qualify for licensure. If the applicant does not retake the failed sections of 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.

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

- (1) licensure as a 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

**ARTICLE 4.
LICENSING REQUIREMENTS.**

Section

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

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

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

(1) successfully completed at least 1,000 hours of training that meets the requirements of AS 08.13.082(d) and 12 AAC 09.167(a) – (c);

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

(A) cardiopulmonary resuscitation (CPR); and

(B) blood borne pathogens; and

(3) passed the written examination described in 12 AAC 09.068.

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

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

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

(2) verification that the applicant

(A) holds a current license to practice body piercing in another state; and

(B) is qualified for licensure to practice body piercing in that state by passing a written examination;

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

(A) cardiopulmonary resuscitation (CPR); and

(B) blood borne pathogens; and

(4) verification that the applicant has completed training equivalent to that described in AS 08.13.082(d) and 12 AAC 09.167(a) – (c).

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

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

12 AAC 09.086. TATTOOING AND PERMANENT COSMETIC COLORING LICENSE BY EXAMINATION. An application for a license by examination to practice tattooing and permanent cosmetic coloring must be submitted in accordance with 12 AAC 09.005. The application must include verification that the applicant has

(1) successfully completed at least 1,000 hours of training that meets the requirements of AS 08.13.082(d) and 12 AAC 09.169(a) – (c);

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

(A) cardiopulmonary resuscitation (CPR); and

(B) blood borne pathogens; and

(3) passed the written examination described in 12 AAC 09.068.

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

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

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

(2) verification that the applicant

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

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

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

(A) cardiopulmonary resuscitation (CPR); and

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

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

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

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

(b) When evaluating a combination of course work and apprenticeship, the board will, in its discretion, use the following criteria to determine equivalent hours of course work and apprenticeship:

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

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

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

- (1) payment of the fees established in 12 AAC 02.140;
- (2) verification of a current license to practice barbering or hairdressing issued by another state;
- (3) verification of completed training and work experience equivalent to
 - (A) 1,650 hours of training in a school approved by the board or another licensing jurisdiction;
 - (B) 2,000 hours of an apprenticeship program approved by the board or by another licensing jurisdiction;
 - (C) at least one year of full-time work experience as a licensed barber or hairdresser, averaging no less than 32 hours per week, and a minimum of 1,500 hours of training in an approved school or an apprenticeship program approved by the board or by another licensing jurisdiction; or

(D) at least two years of full-time work experience as a licensed barber or hairdresser, averaging no less than 32 hours per week, and a minimum of 1,000 hours of training in an approved school or an apprenticeship program approved by the board or by another licensing jurisdiction; and

(4) documents verifying that a state in which the applicant was licensed as a barber or hairdresser required the applicant to pass a practical and written examination to qualify for licensure.

(b) An applicant unable to satisfy the requirements of (a)(3) of this section due to lack of equivalency may obtain the needed hours of training and experience through attendance at an approved school or participation in an apprenticeship.

(c) Repealed 5/20/88.

Authority: AS 08.13.030 AS 08.13.082 AS 08.13.100

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

Authority: AS 08.13.030 AS 08.13.080

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

Authority: AS 08.13.030 AS 08.13.082 AS 08.13.090
AS 08.13.080

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

- (1) payment of the applicable fees established in 12 AAC 02.140;
- (2) verification of a current license to practice as an esthetician issued by another state;
- (3) verification of training equivalent to that described in 12 AAC 09.100; and

(4) documents verifying that a state in which the applicant was licensed as an esthetician required the applicant to pass a practical and 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 practical and 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, hairdressing, manicuring, esthetics, body piercing, or tattooing and permanent cosmetic coloring issued by another state; and
- (2) the application fee, license fee, and temporary permit fee specified in 12 AAC 02.140.

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

Authority: AS 08.13.030 AS 08.13.170

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

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.090
AS 08.13.040

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

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

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.100
AS 08.13.040

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

- (1) payment of the fees established in 12 AAC 02.140;
- (2) name of the owner or lessee;
- (3) business name of the shop;
- (4) mailing and street address of the shop;
- (5) if the shop owner is not a licensed practitioner, the name and license number of the practitioner who is employed as manager of the shop;
- (6) a listing of all other shops the applicant owns which includes the business name, mailing address, and street address of each; and
- (7) documentation that within the 90 days before until the 90 days after the date the application was submitted to the department, the applicant was found to be in compliance with state environmental sanitation regulations in 18 AAC 23 or the health regulations of the municipality as a designee of the Department of Environmental Conservation and in which the shop is located; the applicant must obtain that documentation from the Department of Environmental Conservation or the municipality, except that an applicant whose shop is located within a shop already inspected under this paragraph may submit a copy of that inspection report or designate that a copy of the report is already on file with the department; if the application is for a shop where body piercing or tattooing and permanent cosmetic coloring will be practiced, the shop must be inspected and certified by the Department of Environmental Conservation as in compliance with the state environmental sanitation regulations in 18 AAC 23.

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

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

(d) A shop owner or manager of a shop shall permit any member of the board or department representative to inspect the shop at any time during working hours.

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

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

(g) If the Department of Environmental Conservation finds that a shop is not in compliance with the environmental sanitation and health regulations required under (a)(7) of this section, the board will suspend the shop owner license until the shop owner submits documentation that the shop is in compliance with the requirements of (a)(7) of this section.

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

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

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

Authority: AS 08.13.030 AS 08.13.210 AS 08.13.215
AS 08.13.120

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

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

Authority: AS 08.13.030 AS 08.13.160 AS 08.13.210

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

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

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

(3) meets the requirements of this section.

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

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

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

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

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

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

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

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

Authority: AS 08.13.030 AS 08.13.120 AS 08.13.130

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

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

(1) another jurisdiction's licensing board;

(2) a licensed school or shop;

(3) a licensed instructor;

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

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

Authority: AS 08.13.030 AS 08.13.080

ARTICLE 5. SCHOOLS AND CURRICULUM.

Section

120. (Repealed)

125. Requirements for school license; renewal requirements

127. License requirements for school offered by a college or university

130. School records

135. Transfer of hours and reenrollment

140. Instructor-student ratio

143. Manicuring school curriculum

144. (Repealed)

145. (Repealed)

146. Equipment for schools teaching advanced manicuring

148. Advanced manicurist endorsement curriculum

150. (Repealed)

155. Equipment for barbering or hairdressing schools

160. Barber and hairdresser school curriculum

162. Equipment for esthetics schools

163. Esthetics school curriculum

165. Instructor curriculum

- 167. **Body piercing training requirements**
- 169. **Tattooing and permanent cosmetic coloring training requirements**
- 170. **Theory syllabus and criteria for grading of examinations**
- 173. **Out-of-state training in body piercing and tattooing and permanent cosmetic coloring**
- 175. **Sanitation**

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

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

- (1) the fees established in 12 AAC 02.140;
- (2) the name of the school owner;
- (3) the names of all parties having a financial interest in the school;
- (4) an exact description of the floor plan and location of the school;
- (5) a completed certification of compliance form provided by the department reflecting that the provisions of

18 AAC 23 that set requirements regarding health and sanitary conditions in shops and schools, or the equivalent requirements of a municipality as a designee of the Department of Environmental Conservation and in which the shop is located, have been met; and

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

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

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

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

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

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

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

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

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

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

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

- (i) Repealed 6/8/2016.

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

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

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

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

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

- (1) the fees established in 12 AAC 02.140;

- (2) the name and location of the school;
- (3) the name of the school administrator;
- (4) a detailed description of the content and structure of the training to be provided by the school.

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

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

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

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

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

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

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

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

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

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

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

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

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

- (1) the exact number of hours of theoretical and practical training completed by the student during the previous quarter; and
- (2) the exact number and type of operations completed by the student during the previous quarter.

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

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

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

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

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

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

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

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

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

Authority: AS 08.13.030 AS 08.13.110 AS 08.13.180

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

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

Authority: AS 08.13.030 AS 08.13.110

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

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

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

Authority: AS 08.13.030 AS 08.13.110 AS 08.13.190

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

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

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

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

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.110

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

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

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

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

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

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

- (1) a cabinet for instruments and linens;
- (2) a towel container for soiled linens;
- (3) a smock;
- (4) terrycloth or disposable towels;
- (5) manicuring materials including orange wood sticks, finger bowls, steel pushers, emery boards, metal nail files, cuticle nippers, callus removers, moisturizing lotion, antibacterial soap, finger nail clippers, plastic spatulas,

septic powder, cotton balls, cuticle cream, cuticle oil, cuticle solvent, supply trays, polish, tweezers, nail brushes, and chamois buffers;

- (6) a manicuring table with adjustable lamp and two chairs;
 - (7) pedicure tubs;
 - (8) a manicure ventilation system;
 - (9) a paraffin wax machine;
 - (10) artificial nail supplies, including acetone, acrylic powder and liquid, dappen dishes, nail forms and tips, natural bristle brushes, fine and heavy grit files, small scissors, buffing blocks, primer, safety glasses and mask, adhesive, glue, three-way buffers, nail oil, professional electric nail file, and silk wraps;
 - (11) rubber or latex gloves;
 - (12) chemical agents and labeled containers for sanitary purposes.
- (d) For every six or fewer students working at one time, the practical instructional area must have a wash basin with running hot and cold water.

Authority: AS 08.13.030

AS 08.13.110

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

- (1) sanitation and safety measures: 45 hours, including instruction in
 - (A) bacteriology; and
 - (B) sanitation, including
 - (i) chemical agents; and
 - (ii) sanitizing methods and procedures;
 - (C) federal Occupational Safety and Health Administration (OSHA) safety standards; and
 - (D) infectious agents and infection;
 - (2) anatomy and physiology of the arms, hands, and feet: 45 hours, including instruction in
 - (A) nail shapes, structures, and growth, including
 - (i) nail irregularities; and
 - (ii) nail diseases;
 - (B) bones, muscles, and nerves of the arm and hand;
 - (C) skin histology and functions; and
 - (D) blood circulation, including
 - (i) blood vessels; and
 - (ii) blood supply of the arm, hand, and foot;
 - (3) manicuring and pedicuring: 155 hours, including instruction in
 - (A) preparation;
 - (B) equipment and implements;
 - (C) supplies;
 - (D) procedures, including
 - (i) basic manicure;
 - (ii) oil manicure;
 - (iii) nail analysis; and
 - (iv) hand and arm massage;
 - (E) pedicure;
 - (F) artificial nails, including
 - (i) sculpturing and liquid and powder brush-ons;
 - (ii) artificial nail tips;
 - (iii) nail wraps and repairs;
 - (iv) maintenance; and
 - (v) use of professional electric nail file;
 - (G) polish application; and
 - (H) specific needs;
 - (4) state law: five hours.
- (b) The curriculum in (a) of this section must incorporate the following:
- (1) communication skills;
 - (2) professional ethics;
 - (3) sales skills;
 - (4) decorum;
 - (5) record keeping;
 - (6) client service record cards.
- (c) A student is responsible for participating in the routine maintenance of the sanitary conditions necessary to conduct business. However, credit may not be given for time spent laundering towels, washing floors, walls, windows, or lavatories, or similar work.

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

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

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

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

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

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

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

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

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

SUBJECT	MINIMUM NUMBER OF PRACTICAL OPERATIONS, HAIRDRESSERS	MINIMUM NUMBER OF PRACTICAL OPERATIONS, BARBERS
(1) wet hair styling and drying, including hair analysis, shampooing, finger waving, pin curling, and comb outs	180	30

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

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

(c) Repealed 8/10/2012.

(d) Repealed 6/8/2016.

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

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

Authority: AS 08.13.030 AS 08.13.110

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

- (1) one blackboard;
- (2) a chart or charts of the skin, hair, muscles, nerves, bones, and circulatory system of the head, neck, and face;
- (3) a book or books on general anatomy, physiology and hygiene; and
- (4) at least one board-approved textbook, for each student, covering all practical operations listed in 12 AAC 09.163, provided by the school.

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

- (1) a cabinet for instruments and linens;

- (2) a towel container for soiled towels;
 - (3) a cape with sanex strips;
 - (4) towels;
 - (5) a dressing table, dresserette, or styling bar with a mirror;
 - (6) repealed 4/21/2010;
 - (7) wax materials;
 - (8) tweezers;
 - (9) facial masks;
 - (10) an adequate reclining chair or massage table with paper liners; and
 - (11) electrical equipment, including the use of all electrical modalities and electrical apparatus, including dermal lights for facials and skin-care purposes.
- (c) For every six or fewer students working at one time, the practical instructional area must have a wash basin with running hot and cold water.

Authority: AS 08.13.030 AS 08.13.110

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

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

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

Authority: AS 08.13.020 AS 08.13.110

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

SUBJECT	MINIMUM HOURS OF INSTRUCTION
(1) Statutes and Regulations of the board	25
(2) Preparatory theoretical instruction, including teaching techniques, lesson planning, methods of instruction, evaluation of instruction, student recordkeeping, state recordkeeping, and school operation	75
(3) Supervision of desk, booking appointments, and assigning students for clinic services	25
(4) Clinic floor supervision under direct supervision of licensed instructor	50

(5) The remaining 425 hours must be completed as scheduled by the school but must include

- (A) presentation of theoretical subjects in a classroom situation 50
- (B) presentation of practical subjects in a classroom situation; and 50
- (C) supervision of clinic floor 325

(b) A school shall employ text and reference books in a student-instructor teaching program.

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

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

Authority: AS 08.13.030 AS 08.13.110

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

(b) The 150 practical operations required under (a) of this section must include

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

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

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

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

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

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

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

(g) A student or apprentice who is enrolled in a school or apprenticeship program may complete up to 25 percent of the required theory instruction hours in (c) of this section through a distance education course online provided by

Milady, PivotPoint, or a similar organization approved by the board. Verification of successful completion of this training must be mailed directly to the department from the school or instructor.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

12 AAC 09.169. TATTOOING AND PERMANENT COSMETIC COLORING TRAINING REQUIREMENTS. (a) A student who is receiving training in tattooing and permanent cosmetic coloring must complete a curriculum that consists of at least 1,000 hours of training. The training must include a minimum of 270 hours of theory instruction and a minimum of 150 hours of practical operations during which the trainer must be physically present in the shop.

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

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

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

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

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

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

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

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

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

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

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

(b) The board will provide its criteria for grading of examinations to each school of barbering, hairdressing, manicuring, and esthetics and to each candidate scheduled to take the examination before the date of an examination.

Authority: AS 08.13.030 AS 08.13.110

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

(b) The board will approve training in tattooing and permanent cosmetic coloring received outside of this state under AS 08.13.082(d)(1)(B) if the board determines that the training is equivalent to that described in 12 AAC 09.169(a) - (c) and provided by a person knowledgeable in the applicable techniques.

Authority: AS 08.13.030 AS 08.13.080 AS 08.13.082

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

Authority: AS 08.13.030 AS 08.13.210

ARTICLE 6. STUDENT PERMITS, TRAINING, AND APPRENTICES.

Section

180. Student permits

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

190. Apprentices of barbering, hairdressing, and esthetics

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

(1) the personal identification information requested on the form;

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

(3) proof of

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

12 AAC 09.130;

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

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

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

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

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

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

(d) Repealed 8/10/2012.

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

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

Authority: AS 08.13.030 AS 08.13.180 AS 08.13.190

12 AAC 09.185. TRAINEES IN BODY PIERCING, OR TATTOOING AND PERMANENT COSMETIC COLORING. (a) A currently licensed practitioner of body piercing or tattooing and 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 in body piercing or tattooing and permanent cosmetic coloring to no more than two trainees simultaneously in a shop licensed by the board under 12 AAC 09.110.

(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 and permanent cosmetic coloring, the exact number of hours of theoretical and practical operations completed by the trainee during the previous quarter;

(2) for body piercing, the exact number of hours of theoretical 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 and 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 and 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 09.190. APPRENTICES OF BARBERING, HAIRDRESSING, AND ESTHETICS. (a) A currently licensed 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, 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, 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, or 12 AAC 09.163 if the apprenticeship training is for esthetics;

(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, 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, and the total number of hours of training and theoretical instruction completed by the apprentice, and the date of completion of the training. 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, 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.

Section

- 900. Examiners**
- 905. Location of shops in private residence**
- 910. Duties of instructors and student-instructors**
- 920. Practice outside a licensed shop or school**
- 930. Reinstatement of lapsed licenses**
- 940. Education information and aftercare instructions for body piercing and tattooing and permanent cosmetic coloring; notification requirements**
- 950. Temporary display of posting confirming current license or permit**
- 990. Definitions**

12 AAC 09.900. EXAMINERS. (a) For the purpose of conducting practical sections of the examinations, the department may approve a person who has been licensed in the state as a barber, hairdresser, or esthetician for at least two years to assist the board as an examiner.

- (b) A person approved as an examiner under (a) of this section may not be
- (1) a licensed practitioner of a shop sponsoring an apprentice taking the examination;
 - (2) the owner of a barber, hairdressing or esthetics school located in the state; or
 - (3) a licensed instructor in a barber, hairdressing or esthetics school located in the state.

Authority: AS 08.13.030 AS 08.13.090

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

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

Authority: AS 08.13.030 AS 08.13.120 AS 08.13.210

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

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

Authority: AS 08.13.030 AS 08.13.070

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

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

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

Authority: AS 08.13.030 AS 08.13.082 AS 08.13.160

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

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

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

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

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

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

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

Authority: AS 08.13.030 AS 08.13.140

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

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

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

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

Authority: AS 08.13.030 AS 08.13.215

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

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

Authority: AS 08.13.030 AS 08.13.130

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

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

- (1) "board" means the Board of Barbers and Hairdressers;
 - (2) Repealed 7/23/2000;
 - (3) "department" means the Department of Commerce, Community, and Economic Development;
 - (4) "jurisdiction" means a licensing board or administrative agency of another state, territory, or country responsible for issuing licenses and maintaining licensing records for barbers, hairdressers, manicurists, or estheticians;
 - (5) "theoretical instruction" means instruction by lecture, classroom participation, or examination;
 - (6) "practical instruction, practical operation, or practical training" means the demonstration of or the actual performance of barbering, hairdressing, manicuring, esthetics, body piercing, or tattooing and permanent cosmetic coloring by a student, apprentice, or practitioner;
 - (7) "manicurist" includes an individual licensed in any jurisdiction as a nail technician;
 - (8) "client release form" means a client's written consent, on a form provided by a practitioner, for the practitioner to perform the requested body piercing or tattooing and permanent cosmetic coloring procedure;
 - (9) "college or university" means the University of Alaska or a college or university accredited by a national or regional educational accrediting organization;
 - (10) "working day" means a day other than Saturday, Sunday, or a state holiday.
- (b) For the purposes of AS 08.13.220(5), "for a fee" does not include remuneration received by a person employed or working under contract to provide make up services for a television, film, or stage production.

Authority: AS 08.13.030 AS 08.13.220