

**PROPOSED REGULATION OF THE
STATE BOARD OF COSMETOLOGY**

LCB File No. R106-12

NEVADA STATE BOARD OF COSMETOLOGY

Main Office:

1785 E. Sahara Avenue, Suite 255
Las Vegas, NV 89104
Phone: (702) 486-6542
Fax: (702) 369-8064

Branch Office:

4600 Kietzke Lane, Building O, Suite 262
Reno, NV 89502
Phone: (775) 688-1442
Fax: (775) 688-1441

Website: www.cosmetology.nv.gov
E-mail: nvcosmo@nvcosmobd.nv.gov

**NOTICE OF PUBLIC HEARING FOR THE ADOPTION AND AMENDMENT OF
PERMANENT REGULATIONS OF THE NEVADA STATE BOARD OF
COSMETOLOGY**

The Nevada State Board of Cosmetology will hold a public hearing on **Monday, May 19th at 9:00 a.m.** via Video-Conferencing and Teleconferencing at the following locations:

Las Vegas, Nevada

Grant Sawyer Building
555 East Washington Avenue, Room 2600
Las Vegas, NV 89101

Carson City, Nevada

Nevada Gaming Control Board
1919 E. College Parkway
Carson City, NV 89706

The Nevada State Board of Cosmetology will receive testimony from all interested persons and consider and take action on the following proposed adoption of amendments, additions and

deletions to the Nevada Administrative Code (NAC) pertaining to the State Board of Cosmetology as more detailed and defined in LCB File Number R106-12. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the State Board of Cosmetology may proceed immediately to act upon any written submissions:

1. The Need for and Purpose of the Proposed Permanent Regulations.

The need and purpose of the proposed permanent regulations are to implement changes in NAC Chapter 644 with regard to various procedural and operational processes, and to set forth and clarify substantive procedural matters for administration of the regulations.

2. Terms or Substance of the Proposed Permanent Regulations or Description of the Subjects and Issues Involved.

First - prohibiting a licensed cosmetologist who supervises and trains a cosmetologist's apprentice or a licensed electrologist who supervises and trains an electrologist's apprentice from receiving compensation for the apprenticeship

Second - revising provisions governing practice before the State Board of Cosmetology

Third - revising provisions governing the submission of complaints to the Board and determination by the Executive Director of the Board whether a complaint warrants an investigation

Fourth - revising the procedure for petitioning the Board for a declaratory order or an advisory opinion

Fifth - requiring a petitioner to comply with the provisions of a declaratory order or advisory opinion issued by the Board

Sixth - revising provisions governing the procedure for a petition for the adoption, filing, amendment or repeal of a regulation

Seventh - revising certain provisions concerning mobile cosmetological establishments

Eighth - prescribing fines for certain violations

Ninth - prescribing conduct which constitutes gross malpractice

Tenth - prescribing certain conduct for which a licensee is subject to disciplinary action

Eleventh - repealing certain provisions governing practice before the Board

Twelfth - providing other matters properly relating thereto

3. Estimated Economic Effect of the Proposed Permanent Regulations on Small Business.

The proposed permanent regulation has no adverse economic effect on the Nevada State Board of Cosmetology, the licensed cosmetology professionals, licensed cosmetological establishments, licensed cosmetology schools, or the public. The regulation has no negative impact on Small Business. The permanent regulation could have a beneficial economic effect on the Board of Cosmetology, Small Business, and the public. The regulation should enable the public and licensed entities the ability to clearly understand the procedure for lodging complaints and petitioning the Board of Cosmetology reducing the time to enable these processes. It will

also enable the reduction of illegal, non-licensed activities through the proposed fining system for false and deceptive advertising, thus increasing the potential clientele for all licensed cosmetology professionals. The regulation could benefit Small Business through a clear process for obtaining a license for a mobile cosmetological establishment.

4. Estimated Cost to Agency for Enforcement of Proposed Permanent Regulations.

The proposed permanent regulation will present no additional incremental cost to the State Board of Cosmetology in administering these new regulations.

5. Regulations of Other State or Local Governmental Agencies which the Proposed Permanent Regulations Overlap or Duplicate and the Necessity Therefore.

The proposed permanent regulations do not appear to overlap or duplicate regulations of other state or local governmental agencies.

6. Establishment of New Fee or Existing Fee Increase.

The permanent regulations would not increase any existing fee or create any new fees. There are new fines associated with citations issued for violating sections of NRS 644 and NAC 644. Since these new fines are initiated upon a violation of laws and regulations, the licensed cosmetology professionals who obey the law would never have to pay one of these fines.

Persons wishing to comment on the proposed action of the State Board of Cosmetology may appear at the above scheduled public hearing or may address their comments, views, or arguments, in written form, to the Nevada State Board of Cosmetology, 1785 E. Sahara Avenue, Suite 255, Las Vegas, Nevada 89104. Written submissions must be received by the Nevada State Board of Cosmetology on or before May 12, 2014. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada State Board of Cosmetology may proceed immediately to act upon any written submissions.

A copy of this notice and the proposed permanent regulations to be adopted and amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted and amended will be available at Nevada State Board of Cosmetology in each office location: 1785 E. Sahara Avenue, Suite 255, Las Vegas, Nevada 89104 and 4600 Kietzke Lane, Building O, Suite 262, Reno, Nevada, 89502 and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours.

This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the

Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>.

The text of the proposed permanent regulations will include the entire text of any section of the Nevada Administrative Code, which is proposed for amendment or repeal. Copies will be mailed to members of the public upon request. A reasonable fee may be charged for copies if deemed necessary.

Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has also been posted at the following locations.

SOUTHERN NEVADA SCHOOLS

Academy of Hair Design ~ 5191 W. Charleston Boulevard, #150, Las Vegas, NV 89146

Advanced Beauty School of Cosmetology ~ 4001 S. Decatur Blvd, #22,23,24, Las Vegas, NV 89103

Casal Institute of Nevada/ Aveda Institute Las Vegas ~ 4856 S. Eastern Ave., L.V. , NV 89119

Euphoria Institute of Beauty Arts & Sciences ~ 11041 S. Eastern Ave., #112, HD, NV 89052

Euphoria Institute of Beauty Arts & Sciences ~ 6578 N. Decatur Blvd, #200, Las Vegas, NV 89131

Euphoria Institute of Beauty Arts & Sciences ~ 9340 W. Sahara Ave., #205, Las Vegas, NV 89117

Expertise Cosmetology Institute ~ 1911 Stella Lake, Las Vegas, NV 89106

Expertise Cosmetology Institute ~ 2225 N. Civic Center Drive, #100, N. Las Vegas, NV 89030

G Skin & Beauty Institute ~ 1300 W. Warm Springs Road, Henderson, NV 89014

Marinello School of Beauty ~ 5001 E. Bonanza Road., #100, Las Vegas, NV 89110

Marinello School of Beauty ~ 4451 E Sunset Road, #14, Henderson, NV 89014

Paul Mitchell The School Las Vegas ~ 9490 S. Eastern Avenue, #100, Las Vegas, NV 89123

Southeast Career Technical Academy ~ 5710 Mountain Vista Road, Las Vegas, NV 89121

NORTHERN NEVADA SCHOOLS

Carson City Beauty Academy ~ 1851 South Roop Street #A, Carson City, NV 89701

International Academy of Style ~ 2295 Market Street, Reno, NV 89502

Milan Institute of Cosmetology ~ 1050 Matley Lane, Reno, NV 89502

Marinello School of Beauty ~ 5093 South Mc Carran Boulevard, Reno, NV 89502

Paul Mitchell The School Reno ~ 1600 Holcomb Avenue, Reno, NV 89502

LIBRARIES

Battle Mountain Branch Library ~ 625 Broad Street, Battle Mountain, NV 89820
Carson City Library ~ 900 North Roop Street, Carson City, NV 89701
Clark County Library ~ 1401 E. Flamingo Road, Las Vegas, NV 89119
Churchill County Library ~ 553 South Maine Street, Fallon, NV 89406
Douglas County Library ~ 1625 Library Lane, Minden, NV 89423
Elko County Library ~ 720 Court Street, Elko, NV 89801
Eureka Branch Library ~ 210 South Monroe, Eureka, NV 89316
Goldfield Public Library ~ Fourth & Crook Street, Goldfield, NV 89013
Green Valley Library ~ 2797 N. Green Valley Parkway, Henderson, NV 89015
Humboldt County Library ~ 85 East 5th Street, Winnemucca, NV 89445
Lincoln County Library ~ 63 Main Street, Pioche, NV 89043
Lyon County Library ~ 20 Nevin Way, Yerington, NV 89447
Pershing County Library ~ 1125 Central Avenue, Lovelock, NV 89419
Storey County Library ~ 95 South R Street, Virginia City, NV 89440
Summerlin Library ~ 1771 Inner Circle Drive, Las Vegas, NV 89134
Washoe County Library ~ 301 South Center Street, Reno, NV 89501
White Pine County Library ~ 950 Campton Street, Ely, NV 89301

GOVERNMENT AGENCIES

Attorney General's Office ~ 555 E. Washington Avenue, #3900, Las Vegas, NV 89101

Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call 702-486-6542 by 3:00 pm on Wednesday, May 14, 2014 so that arrangements can be made.