



Ohio Administrative Code

Rule 4713-8-02 Board consideration of a violation of a standard of cosmetology practice.

Effective: May 30, 2022

(A) The board may impose discipline on a board licensee or boutique service registration holder who does not practice barber services, cosmetology services, or boutique services according to acceptable and prevailing standards of safe, sanitary cosmetology care, or the licensee, boutique service registration holder, or an unlicensed person who fails to follow the laws and rules of this board.

(B) The board may consider mitigating circumstances, such as the following, when making a decision regarding a corrective action, a disciplinary action, a consent agreement, or another program.

(1) Whether the act is willful, intentional, irresponsible, or unintentional;

(2) The frequency of the occurrence of the act at issue;

(3) Whether the act represents a pattern of commissions or omissions;

(4) The outcome of a licensee's actions; or

(5) The level of harm or potential harm to a client.

(C) The board shall follow the administrative process set forth in Chapter 119. of the Revised Code when determining whether a board licensee, boutique service registration holder, a tanning facility permit holder, approved continuing education and tanning certification providers or those who are unlicensed, do not hold a current facility permit or have not been approved to provide continuing education or tanning certification has committed a violation of Chapter 4713. of the Revised Code, Chapter 4709. of the Revised Code, or the administrative rules promulgated under these chapters, and whether it will impose a sanction when violations have been determined by the board to have been committed.



(D) The board may hire a licensed attorney to hold hearings, find facts and make recommendations to the board as to what, if any, disciplinary action should be taken when violations have been alleged against a licensed or an unlicensed person engaging in the practice of barbering, cosmetology, a branch of cosmetology, boutique services, or operating a tanning facility without a permit or a continuing education provider or tanning certification provider or permit holder that fails to follow the board's laws or rules.