



Ohio Revised Code

Section 4709.05 Duties of board; administrative rulemaking.

Effective: October 24, 2024

Legislation: House Bill 158

(A) In addition to any other duty imposed on the state cosmetology and barber board under this chapter or Chapter 4713. of the Revised Code, the board shall do all of the following:

- (1) Regulate the practice of barbering in this state;
- (2) Conduct or have conducted the examination for applicants to practice as licensed barbers;
- (3) Prescribe and make available application forms to be used by individuals seeking admission to an examination conducted under section 4709.07 of the Revised Code or a license or permit issued under this chapter;
- (4) Prescribe and make available application forms to be used by individuals seeking renewal of a license or permit issued under this chapter;
- (5) Furnish a copy of the infection control standards adopted pursuant to division (A)(8)(a) of this section to both of the following:
 - (a) Each individual or person to whom the board issues a barber license or license to operate a barber shop;
 - (b) Each individual providing cosmetic therapy, massage therapy, or other professional service in a barber shop under section 4709.091 of the Revised Code.
- (6) Supply a copy of the poster created pursuant to division (B) of section 5502.63 of the Revised Code to each person authorized to operate a barber shop under this chapter;
- (7) Comply with sections 4713.641 and 4713.66 of the Revised Code regarding investigations and inspections;



(8) Adopt rules, in accordance with Chapter 119. of the Revised Code, to administer and enforce this chapter and that cover all of the following:

(a) Infection control standards for the practice of barbering and the operation of barber shops;

(b) The content of the examination required of an applicant for a barber license under section 4709.07 of the Revised Code and the passing score required for the examination;

(c) Conditions an individual must satisfy to qualify for a temporary pre-examination work permit under section 4709.071 of the Revised Code and the conditions and method of renewing a temporary pre-examination work permit under that section;

(d) Requirements for the licensure of barber instructors and assistant barber instructors that are in addition to the requirements specified in section 4709.072 of the Revised Code;

(e) Conditions under which the board will take into account, under section 4709.073 of the Revised Code, instruction an applicant for a license under section 4709.07 or 4709.072 of the Revised Code received more than five years before the date of application for the license;

(f) Conditions an applicant must satisfy for the board to issue the applicant a license under section 4709.08 of the Revised Code without the applicant taking an examination conducted under section 4709.07 of the Revised Code;

(g) Conditions an applicant must satisfy for the board to issue the applicant an independent contractor license under section 4709.09 of the Revised Code and the fee for the issuance and renewal of the license;

(h) Specify which professions regulated by a professional regulatory board of this state may be practiced in a barber shop under section 4709.091 of the Revised Code, including whether cosmetic therapy may be practiced in a barber shop;

(i) Establish standards for the provision of cosmetic therapy, massage therapy, or other professional



service in a barber shop pursuant to section 4709.091 of the Revised Code;

(j) If the board, under section 4709.111 of the Revised Code, develops a procedure for classifying licenses inactive, do both of the following:

(i) Establish a fee for having a license classified inactive that reflects the cost to the board of providing the inactive license service;

(ii) Specify the continuing education that an individual whose license has been classified inactive must complete to have the license restored.

(k) Any other area the board determines appropriate to administer or enforce this chapter.

(B) The infection control standards established under division (A)(8)(a) of this section shall focus in particular on precautions to be employed to prevent infectious or contagious diseases being created or spread.

(C) The content of the examination specified in rules adopted under division (A)(8)(b) of this section shall include a practical demonstration and a written test, shall relate only to the practice of barbering, and shall require the applicant to demonstrate that the applicant has a thorough knowledge of and competence in the proper techniques in the safe use of chemicals used in the practice of barbering. The minimum passing score of the examination shall not exceed seventy-five per cent.

(D) The rules adopted under division (A)(8)(c) of this section may establish additional conditions for a temporary pre-examination work permit under section 4709.071 of the Revised Code that are applicable to individuals who are licensed to practice barbering in another state or country.

(E) The conditions specified in rules adopted under division (A)(8)(f) of this section may include that an applicant is applying for a barber license for which the board determines an examination is unnecessary.

(F) The rules adopted under division (A)(8)(h) of this section shall not include a profession if practice of the profession in a barber shop is a violation of a statute or rule governing the profession.



(G) If the board adopts a procedure for classifying licenses inactive, the continuing education specified under division (A)(8)(j)(ii) of this section shall be sufficient to ensure the minimum competency in the use or administration of a new procedure or product required by a licensee necessary to protect public health and safety. The requirement shall not exceed the cumulative number of hours of continuing education that the individual would have been required to complete had the individual retained an active license.