



## NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

Notice with a scheduled hearing

Notice without a scheduled hearing

Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.

Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [Board of Electrolysis Examiners](#)

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncbee.com/>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION: [21 NCAC 19 .0705-.0706](#)

AMENDMENT: [21 NCAC 19 .0404, .0701-.0704](#)

REPEAL: [21 NCAC 19 .0103](#)

READOPTION with substantive changes:

READOPTION without substantive changes:

REPEAL through READOPTION:

4. Proposed effective date: [11/01/2022](#)

5. Is a public hearing planned? **Yes**

If yes:

Date	Time	Location
<a href="#">08/01/2022</a>	<a href="#">10:00 AM</a>	<a href="#">By videoconference at https://bit.ly/3MZI9EL or by teleconference at (650) 479-3208, access code 2634 074 7300##</a>

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

## 7. Explain Reason For Proposed Rule(s):

Rule .0103 is proposed for repeal because the contents of that rule, with some modifications discussed below, will be moved to Rule .0404. This approach merges two rules with definitions into a single rule, making it easier to locate definitions.

The amendment to Rule .0404 incorporates the definition of "continuing education unit" or "CEU" that previously appeared in Rule .0103. That definition has also been amended to change the meaning of "CEU" from 10 contact hours to one contact hour. As discussed below, the requirements for CEUs have been updated to reflect this new definition. Except as noted below, the requirements for CEUs have not increased, but the definition is being updated to make the requirements easier to understand and more intuitive. The amendment also defines "in-person seminar." The remainder of the changes in the amendment correct manifest errors, update the numbering of items, or reformat portions of the rule.

The amendment to Rule .0701 updates references to the required number of CEUs to reflect the change in how "CEU" is defined in Rule .0404 (see discussion above). Except for electrologists with 20-29 years of practice, the rule does not increase the CEU requirements but simply makes the requirements easier to understand. Under the current version of the codified rule, electrologists with 20 or more years of practice are required to complete 10 contact hours of continuing education every five years. Under the amendment, only electrologists with 30 (rather than 20) or more years have that requirement, and only if there is no interruption in licensure. The amendment specifies how those five-year periods would be measured. The amendment changes references to "renewal period," instead using the term "license effective period," a change which the board intends simply as a clarification of terminology rather than a substantive change in requirements. The amendment indicates that only CEUs earned through in-person seminar may be carried forward to the next license effective period and prohibits other forms of CEUs from carrying forward. The amendment requires new licensees to renew licenses and pay for inspections for the upcoming year, and specifies that an initial license will not be issued until an initial inspection of the practicing office takes place. All other changes in the amendment are designed to confirm to Style Guide recommendations or to provide clarity.

The amendment to Rule .0702 adds a requirement for the programs or courses submitted to the board. Under this requirement, the programs or courses must include the outline of each course's content. The amendment also makes it clearer that the hours of study must be for each course topic rather than each course. Since the board is adopting a rule for an application for approval of continuing education (see the discussion for Rule .0705 below), some references have been removed from this rule and a cross-reference has been added. The remaining changes improve style, update formatting and numbering, remove outdated information that is otherwise readily available to the public, or eliminate ambiguous language.

The amendment to Rule .0703 makes no substantive change but only updates references to the number of CEUs to account for the new definition of "CEU" in Rule .0404, as discussed above.

The amendment to Rule .0704 eliminates the reference to carrying forward CEUs. The carry-forward requirements now appear and are updated in the amendment to Rule .0701. The remaining changes are stylistic.

Rule .0705 is an adoption that specifies the requirements to apply for continuing-education approval and specifies where the application may be found.

Rule .0706 is an adoption that specifies the circumstances under which the board may waive a rule.

**8. Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

**Rule(s) is automatically subject to legislative review. Cite statutory reference:**

## 9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Susan Magas  
Address: 2 Centerview Drive, Pinehurst Building, Ste 60  
Greensboro, NC 27407  
Phone (optional):  
Fax (optional):  
EMail (optional) [ncbeexam@att.net](mailto:ncbeexam@att.net)

## 10. Comment Period Ends: 09/13/2022

**11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.**

No fiscal note required

**12. Rule-making Coordinator:**

Name: Susan Magas  
336-856-1010  
ncbeexam@att.net

**Agency contact, if any:**

Name: Dennis Seavers  
Phone: 919-814-0641  
Email: dennis.seavers@nc.gov

**13. The Agency formally proposed the text of this rule(s) on**

Date: 05/13/2022

1 21 NCAC 19 .0103 is proposed for repeal as follows:

2

3 **21 NCAC 19 .0103**        **DEFINITIONS**

4

5 *Authority G.S. 88A-6; 88A-12; 88A-13; 88A-18*

1 21 NCAC 19 .0404 is proposed for amendment as follows:

2  
3 **21 NCAC 19 .0404 DEFINITIONS AND OVERVIEW**

4 In addition to the terms defined in ~~G.S. 88-A~~, G.S. 88A, the following terms have the following meanings:

- 5 (1) "Alcohol-based hand rub or gel" is a preparation which contains 60 percent to 95 percent ethanol or  
6 isopropanol that is designed for application to the hands in order to reduce the number of viable  
7 microorganisms on the hands.
- 8 (2) ~~"Antiseptic"~~ "Antiseptic" is a germicide used on skin or living tissue to inhibit or destroy  
9 microorganisms.
- 10 (3) "Aseptic technique" is the term used to describe the precautionary measures taken to help reduce  
11 the risk of post treatment infections by decreasing the opportunity for microorganisms to enter the  
12 body. Precautionary measures include handwashing, disinfection, sterilization of surfaces and  
13 instruments, use of protective barriers, containment and disposal of waste, and instrument and  
14 surface manipulations that minimize cross contamination.
- 15 (4) "Autoclave" is a vessel used for sterilization by the application of saturated steam under pressure  
16 and heat.
- 17 (5) "Biological indicator" is a commercially prepared device populated with bacterial spores which is  
18 used to test the method of sterilization being monitored and which demonstrates whether or not  
19 conditions necessary to achieve sterilization were met during the cycle being monitored.
- 20 (6) "Chemical indicator" is a chemically treated paper strip used to monitor parameters of a heat  
21 sterilization process by means of a characteristic color change. A chemical indicator does not  
22 indicate that sterilization has been achieved, but rather, that the temperature needed has been  
23 attained.
- 24 (7) "Cleaning" is the removal of all visible organic material from objects using friction, detergent and  
25 water prior to the disinfection and sterilization processes.
- 26 (8) "Contaminate" is to make something impure by exposure to or addition of a polluting substance.
- 27 (9) "Contaminated" is the presence of potentially infectious pathogenic microorganisms on surfaces of  
28 a objects.
- 29 (10) "Continuing education unit" or "CEU" means one contact hour of participation in an organized  
30 learning experience that is:  
31 (a) related to the practice of electrolysis or laser light-based hair reduction;  
32 (b) contributes to the competency of a practitioner of electrolysis or laser light-based hair  
33 reduction;  
34 (c) obtained by a licensee after the original granting of licensure; and  
35 (d) approved by the Board at least 30 days before the event according to the standards set forth  
36 in G.S. 88A-13.

1 ~~(10)~~(11) "Cross-contamination" is the process by which bacteria or other microorganisms are transferred  
2 from one substance or object to another, with harmful effect.

3 ~~(11)~~(12) "Critical items" are instruments, devices, objects or environmental surfaces that will come in direct  
4 contact with the bloodstream or other normally sterile areas of the body.

5 (12)~~(13)~~ "Decontaminate" is to neutralize or remove dangerous substances or germs from an area or object.

6 ~~(13)~~(14) "Decontamination" is the use of physical or chemical means to remove, inactivate, or destroy  
7 pathogens on a surface or item so that they are no longer capable of transmitting infectious particles  
8 and to render the surface or item safe for handling, use, or disposal.

9 ~~(14)~~(15) "Disinfect" is to clean with a disinfectant in order to destroy bacteria.

10 ~~(15)~~(16) "Disinfectant" is a chemical agent used on inanimate surfaces and objects to destroy infectious fungi  
11 and bacteria, but not necessarily their spores and is classified into levels of potency as follows:

12 (a) \_\_\_\_\_ (A) \_\_\_\_\_ High-level, which is utilized for the reprocessing of semi-critical  
13 instruments or devices and includes Food and Drug Administration (FDA) regulated  
14 substances such as glutaraldehyde-, chlorine dioxide-hydrogen peroxide,  
15 orthophthaldehyde-, and peracetic acid-based formulations;

16 (b) \_\_\_\_\_ (B) \_\_\_\_\_ Intermediate-level, which is utilized for disinfecting tips for epilator  
17 needles and includes Environmental Protection Agency (EPA) regulated substances such  
18 as alcohols containing 70 to 90 percent ethanol or isopropanol, chlorine compounds, and  
19 certain phenolic or iodophor preparations as determined by the EPA;

20 (c) \_\_\_\_\_ (C) \_\_\_\_\_ Low-level, which is utilized for disinfecting environmental or non-  
21 instrument surfaces and includes EPA regulated substances such as quaternary ammonium  
22 compounds and certain phenolic or iodophor preparations as determined by the EPA.

23 ~~(16)~~(17) "Disinfection" is a procedure that reduces the level of microbial contamination and is classified into  
24 the following levels:

25 (a) \_\_\_\_\_ (A) \_\_\_\_\_ "High-level," which inactivates some, but not necessarily all, bacterial  
26 spores. This process will also kill Mycobacterium tuberculosis var. bovis, and all  
27 microorganisms with the exception of high levels of bacterial spores.

28 (b) \_\_\_\_\_ (B) \_\_\_\_\_ "Intermediate-level," which does not kill bacterial spores, but is capable  
29 of killing. M. tuberculosis var. bovis, most vegetative bacteria and fungi, as well as viruses  
30 such as hepatitis B virus (HBV) and human immunodeficiency virus (HIV);

31 (c) \_\_\_\_\_ (C) \_\_\_\_\_ "Low level," which inactivates most bacteria, some viruses and fungi but  
32 not bacterial spores or Mycobacterium tuberculosis var. bovis.

33 ~~(17)~~(18) "Dry heat sterilizer" is a forced air oven-type device designed to sterilize items by exposure to high  
34 temperatures for designated exposure periods.

35 ~~(18)~~(19) "Environmental surfaces" are surfaces in the electrology treatment room which may potentially  
36 contribute to cross-contamination by hands of the electrologist or by contact with instruments that  
37 will subsequently come into contact with clients.

1 ~~(19)~~(20) "Enzyme detergent" is the detergent that helps break down organic soils and fats, and suspends  
2 particles during cleaning. An enzyme detergent is used as a soaking solution for critical and non-  
3 critical instruments and as the detergent used in the ultrasonic device.

4 ~~(20)~~(21) "Epilator" is an electrical device used to perform electrolysis.

5 ~~(21)~~(22) "Epilator cords" are insulated plastic covered cords used to complete the current circuit between the  
6 epilator and the epilator needle or the indifferent electrode.

7 ~~(22)~~(23) "Forceps" are the instruments or "tweezers" used in electrolysis treatments to lift the treated hair  
8 from the follicle. Forceps used in electrolysis are not intended to be critical items, but may come in  
9 contact with blood, serum or other material and shall be sterile when used.

10 ~~(23)~~(24) "Gloves" are coverings for the hands, which provide a protective barrier against infections and toxic  
11 substances.

12 ~~(24)~~(25) "Hand hygiene" is the general term that applies to:

13 (a) \_\_\_\_\_ (A) — "Hand washing," the decontamination process for the removal of soil and  
14 transient microorganisms from the hands by a vigorous rubbing together of all surfaces of  
15 lathered hands for at least 15 seconds, followed by rinsing under a stream of water;

16 (b) \_\_\_\_\_ (B) — "Antiseptic hand wash," the washing of hands with water and soap or  
17 other detergents containing an antiseptic agent;

18 (c) \_\_\_\_\_ (C) — "Antiseptic hand rub," the application of an alcohol-based hand rub  
19 product, to all surfaces of the hands to reduce the number of microorganisms present; and

20 (d) \_\_\_\_\_ (D) — "Hand antiseptics," a preoperative antiseptic hand wash or antiseptic hand  
21 rub to eliminate transient microorganisms and reduce resident hand flora.

22 ~~(25)~~(26) "Health History Assessment File" is a cumulative and permanent documentation of a client's medical  
23 and treatment record which is maintained by the electrologist.

24 ~~(26)~~(27) "Hirsute or Hirsutism" is the excessive growth of hair that is thickened caused by hormonal or  
25 biochemical imbalances or genetic predisposition.

26 ~~(27)~~(28) "Hospital-grade disinfectant" is a chemical germicide that is classed in a spectrum of activity as  
27 either low-level or intermediate-level, with labeled claims for effectiveness against *Salmonella*  
28 *choleraesuis*, *Staphylococcus aureus* and *Pseudomonas aeruginosa*.

29 ~~(28)~~(29) "Indifferent electrode" is a stainless steel bar held by the client during electrolysis treatments to  
30 complete current circuit with galvanic electrolysis modality or with the use of a timer delay switch  
31 in automatic delivery epilators.

32 (30) "In-person seminar" is continuing education that occurs in a physical location rather than online.

33 ~~(29)~~(31) "Instruments" are tools or devices designed to perform a specific function, such as grasping, holding,  
34 or retracting.

35 ~~(30)~~(32) "Intact skin" is skin in which the natural protective barrier has not been altered by infection or  
36 trauma.

1 ~~(31)~~(33) "Latex allergy" is a systemic or local allergic response to various latex proteins to which the  
2 individual has been sensitized.

3 ~~(32)~~(34) "Medical-grade gloves" are disposable gloves used during medical examinations and procedures to  
4 prevent contamination between caregivers and patients.

5 ~~(33)~~(35) "Microbial" is a minute life form; a microorganism, especially a bacterium that causes disease.

6 ~~(34)~~(36) "Nitrile" is non-sterile, latex-free substance from which gloves are manufactured.

7 ~~(35)~~(37) "Needle" is the pre-sterilized, disposable wire filament which is inserted into the hair follicle for  
8 application of current in electrology.

9 ~~(36)~~(38) "Non-critical items" are instruments, devices, objects or environmental surfaces that will come in  
10 contact only with intact skin.

11 ~~(37)~~(39) "Non-intact skin" is skin in which there is a break in the skin's natural integrity, for example, exposed  
12 skin that is chapped, abraded, or afflicted with dermatitis.

13 ~~(38)~~(40) "Packaging" is a generic term meant to include all types of containment, such as woven or non-  
14 woven wraps, paper or film pouches, or rigid container systems.

15 ~~(39)~~(41) "Pathogen" is a microorganism or substance capable of producing a disease.

16 ~~(40)~~(42) "Phoresis rollers" are sterilized stainless steel rollers used to apply current to skin before or after  
17 electrology treatment.

18 ~~(41)~~(43) "Physical visible indicators" are monitoring devices built into a sterilizer, such as indicating  
19 thermometers, recording thermometers, pressure gauges and automatic controls, which are used in  
20 identifying and preventing malfunctions and operational errors and for recordkeeping purposes.

21 ~~(42)~~(44) "Plain soap" is a detergent-based cleanser without antimicrobial additives which is used for the  
22 physical removal of dirt and transient microorganisms.

23 ~~(43)~~(45) "Protective disposable barrier" is a disposable, moisture-resistant covering which reduces the  
24 potential for contaminating environmental or medical device surfaces that may be difficult or  
25 inconvenient to clean and disinfect routinely, for example, tables and pillows, or hard-to-clean  
26 surfaces such as light handles and epilator surfaces..

27 ~~(44)~~(46) "Reprocessing" is the process of cleaning, disinfecting or sterilizing a reusable instrument that has  
28 been used or contaminated in order to be made safe for its intended use.

29 ~~(45)~~(47) "Semi-critical items" are instruments, devices, objects or environmental surface that may come in  
30 contact with mucous membranes and non-intact skin, but do not ordinarily penetrate body surfaces.  
31 Semi-critical items require sterilization or exposure to high-level disinfection as set in Item 44 of  
32 this Rule.

33 ~~(46)~~(48) "Sharps container" is a manufactured and labeled, leak-proof, rigid, puncture-resistant, durable  
34 plastic container into which needles are placed after use and which is designed to be disposed of as  
35 an item of regulated medical waste.

36 ~~(47)~~(49) "Standards" is the level of quality or excellence.



1           ~~(48)~~(50) "Sterility assurance file" is the record containing the sterilizer maintenance and use log and culture  
2           report from each biological monitor.

3           ~~(49)~~(51) "Sterilization" is the process which destroys all forms of microbial life. The recommended methods  
4           of sterilization of instruments and items used in the practice of electrology are the dry heat sterilizer  
5           or the autoclave.

6           ~~(50)~~(52) "Tip for epilator needle" is the cap or plastic tip that surrounds the base of the needle and covers the  
7           pin device where the needle shank is seated.

8           ~~(51)~~(53) "Treatment room" is the operatory where electrolysis treatments are performed.

9           ~~(52)~~(54) "Ultrasonic cleaner" is a processing unit using ultrasonic waves transmitted through the cleaning  
10          solution in a mechanical process known as cavitation. The transmitted sound waves produce tiny air  
11          bubbles on instrument surfaces, which scrub tightly adhering or embedded particles from solid  
12          surfaces and remove soil deposits from hard-to-reach areas.

13

14        *Authority G.S. 88A-6; 88A-13; 88A-16*

1 21 NCAC 19 .0701 is proposed for amendment as follows:

2  
3 **21 NCAC 19 .0701 CONTINUING EDUCATION REQUIREMENTS, LICENSE RENEWAL,**  
4 **REINSTATEMENT AND REACTIVATION**

5 (a) Requirements The following are requirements for the Board to approve renewals for electrologist or laser hair  
6 practitioners:

- 7 (1) Each electrologist licensed in this State shall complete ~~one CEU~~, ten CEUs as defined in Rule .0103  
8 Rule .0404 of this Chapter, per renewal license effective period as a requirement for renewal of the  
9 electrology license. ~~For electrologists~~ Electrologists with ~~20~~ 30 or more years of ~~practice~~, practice  
10 without interruption in licensure the ~~CEU requirement shall be completion of one CEU~~ complete 10  
11 CEUs every five years. The first five-year period shall be measured from the issuance date of the  
12 license in year 30, and subsequent periods shall be measured from the issuance date in each fifth  
13 year thereafter.
- 14 (2) Each laser hair practitioner licensed in this State shall complete ~~one CEU~~ 10 CEUs per ~~renewal~~  
15 license effective period as a requirement for renewal of the laser hair practitioner license.
- 16 (3) An electrologist or laser hair practitioner who has been placed on the inactive list by the Board for  
17 less than five years and desires to return to active ~~status~~, status shall present evidence of completion  
18 of ~~one CEU~~ 10 CEUs within the 12 months preceding the reactivation application in satisfaction of  
19 the competency requirement of G.S. 88A-14.
- 20 (4) An electrologist or laser hair practitioner whose license has been expired for 90 days or more but  
21 less than five years shall present certification of completion of ~~one CEU~~ 10 CEUs for each ~~renewal~~  
22 license effective period or part of a ~~renewal license effective~~ period that has elapsed since the  
23 electrologist's or laser hair practitioner's license was last ~~current~~ current, in satisfaction of the  
24 competency requirement of G.S. 88A-12. At least ~~one~~ 10 of the CEUs offered in satisfaction of a  
25 competency requirement shall have been completed within the 12 months immediately preceding  
26 the application for reinstatement.
- 27 (5) Not more than ~~one CEU~~ 10 CEUs earned through in-person seminar may be carried over ~~per renewal~~  
28 period to the next license effective period. CEUs earned through other content delivery methods  
29 cannot be carried over to the next license effective period.
- 30 (6) No more than ~~one CEU~~ 10 CEUs of home study may be credited for continuing education in each  
31 renewal license effective period. "Home study" is defined as an educational activity undertaken by  
32 an individual, completed by correspondence or online, and with a certification of completion  
33 awarded at the end of the course. Continuing education hours obtained through home study ~~may~~  
34 shall not be carried over to a subsequent ~~renewal license effective~~ period.
- 35 (7) In the initial year of licensure, new licensees tested after the sixth month of the calendar year shall  
36 not be required to obtain CEUs until the following renewal year.

1 (8) Over any two ~~renewal license effective~~ periods, the Board shall give credit for no more than ~~one-~~  
2 ~~half CEU~~ five CEUs in the area of business management.

3 (9) New licensees shall be required to renew licenses and pay for inspections for the upcoming year.

4 (10) An initial license shall not be issued until an initial inspection has been completed on the practicing  
5 office.

6 (b) ~~Requirements~~ The following are requirements for the Board to approve renewals for instructors:

7 (1) An instructor whose certification has been placed on the inactive list for more than 90 days and less  
8 than ~~3~~ three years shall present certification of completion of ~~one CEU~~ 10 CEUs within the 12  
9 months immediately preceding the application for reactivation of certification.

10 (2) An instructor whose certification has been expired for more than 90 days, but less than ~~3~~ three years  
11 shall present certification of completion of ~~one CEU~~ 10 CEUs for each ~~renewal license effective~~  
12 ~~period or part of a renewal license effective~~ period that has elapsed since the instructor's license was  
13 last current. At least ~~one~~ 10 of the CEUs offered in satisfaction of a competency requirement shall  
14 have been completed within the 12 months immediately preceding the application for reinstatement  
15 of certification.

16  
17 *Authority G.S. 88A-6; 88A-12; 88A-13; 88A-18*

1 21 NCAC 19 .0702 is proposed for amendment as follows:

2  
3 **21 NCAC 19 .0702 BOARD APPROVAL OF COURSES**

4 (a) The Board shall approve a program or course if it is:

- 5 (1) In any subject required by 21 NCAC 19 .0601; and
- 6 (2) Offered by one of the following entities:
  - 7 (A) a college or university authorized to grant degrees in this State;
  - 8 (B) a national professional electrolysis or laser association;
  - 9 (C) a school or Continuing Education (CE) provider certified by the Board;
  - 10 (D) American Society of Laser Medicine (ASLM);
  - 11 (E) American Academy of Dermatology (AAD); or
  - 12 (F) an entity providing a program of Certified Medical Education (CME).

13 (b) The entity offering the program or course shall provide the Board with the information listed in Paragraph (c) of  
14 this Rule and shall certify to the Board the names of all electrologists licensed by the Board who attended the program  
15 or course and their actual hours of attendance.

16 (c) The Board shall not approve a program or course without the following information:

- 17 (1) Title, location, and date of the ~~course;~~ course or courses;
- 18 (2) Sponsoring entity;
- 19 (3) Course objective and outline of each course's content;
- 20 (4) Hours of ~~study;~~ study for each course topic; and
- 21 (5) Name, education, and background of each instructor.

22 (d) An electrologist or laser hair practitioner seeking credit for a program or course offered by an entity not listed in  
23 Paragraph (a) of this Rule may request that the Board approve the course by submitting ~~in writing, at least two months~~  
24 ~~in advance of the course registration date, the information listed in Paragraph (c) of this Rule on an application form~~  
25 ~~provided by the Board. The Application for Approval of Continuing Education may be obtained online at~~  
26 ~~www.nebee.com. the application for approval of continuing education as set forth in Rule .0705 of this Chapter.~~

27 (e) The Board shall approve a program or course if requested pursuant to Paragraph (d) of this Rule upon finding that  
28 it meets the requirements of G.S. 88A-13. ~~In determining whether or not to make~~ When making this finding, the Board  
29 shall consider ~~the program or course in light of~~ the criteria set forth in The Continuing Education Unit Criteria and  
30 Guidelines, current edition, as adopted by the International Association for Continuing Education and Training  
31 (IACET) in conjunction with the American Standards National Institute (ANSI) and incorporated herein by reference  
32 including subsequent amendments or editions. ~~The presence of all criteria or the absence of individual criteria shall~~  
33 ~~not be conclusive, and the Board shall have discretion in the approval of programs, courses, or providers on a case-~~  
34 ~~by-case basis.~~ Copies of The Continuing Education Unit Criteria and Guidelines, current edition, may be obtained at  
35 a cost of ~~twenty nine dollars and ninety five cents (\$29.95)~~ at <http://www.IACET.org>.

36 (f) The Board shall notify the electrologist by mail of the Board's findings and decision regarding the request made  
37 pursuant to Paragraph (d) of this Rule.

1 (g) A change in subject matter, length, or instructor of a course requires reapproval by the Board.

2 (h) The entity offering the program or course shall either provide to the electrologist or directly to the Board  
3 certification of the electrologist's actual hours of attendance after the program or course is complete.

4

5 *Authority G.S. 88A-6; 88A-12; 88A-13; 88A-18*

1 21 NCAC 19 .0703 is proposed for amendment as follows:

2

3 **21 NCAC 19 .0703 COMPUTATION OF CONTINUING EDUCATION UNITS**

4 (a) To obtain credit as a contact hour of continuing education, the learning activity scheduled for an hour shall occupy  
5 at least 50 minutes of the hour.

6 (b) An electrologist may fulfill the continuing education requirements of Rule .0701 of this Section by completing  
7 more than one course if the total equals ~~one~~ 10 or more CEUs.

8 (c) One semester credit hour at a university or college shall be equivalent to ~~one CEU~~. 10 CEUs. A course may be  
9 audited or taken for credit.

10 (d) An electrologist who teaches in a program or course approved by the Board may obtain CEU credit at the rate of  
11 four contact hours for each contact hour of teaching.

12

13 *Authority G.S. 88A-6; 88A-12; 88A-13; 88A-18*

1 21 NCAC 19 .0704 is proposed for amendment as follows:

2

3 **21 NCAC 19 .0704 TIME LIMITS ON CREDIT**

4 ~~An electrologist or laser hair practitioner may carry over up to one CEU from one renewal period to the next. An~~  
5 ~~electrologist or laser hair practitioner applying for reinstatement under 21 NCAC 19 .0203(b) who is Rule .0203(b) of~~  
6 ~~this Chapter and presenting CEUs in satisfaction of competency requirements ~~may, however, subject to the~~~~  
7 ~~requirements of 21 NCAC 19 .0701(e), may receive credit for ~~that purpose~~ for any CEUs taken during the time the~~  
8 ~~applicant's license was ~~expired.~~ expired, subject to the requirements of Rule .0701(c) of this Chapter.~~

9

10 *Authority G.S. 88A-6; 88A-12; 88A-13; 88A-18*

1 21 NCAC 19 .0705 is proposed for adoption as follows:

2

3 **21 NCAC 19 .0705 APPLICATION FOR APPROVAL OF CONTINUING EDUCATION**

4 (a) The application for approval of continuing education shall be filed as set forth in Rule .0702(d) of this Chapter. It  
5 requests the following:

6 (1) the application date;

7 (2) the sponsoring entity offering the continuing education;

8 (3) the name of the speakers or presenters;

9 (4) the title of the course;

10 (5) the location of the course;

11 (6) the date of the course;

12 (7) the number of hours of study;

13 (8) the course objectives and a summary of the course content;

14 (9) the educational or professional background of the speakers or presenters, or a copy of the curricula  
15 vitae of the speakers or presenters; and

16 (10) a summary of the learning outcomes of the course.

17 (b) Applicants shall submit the form to the address in Rule .0101 of this Chapter at least two months before the course-  
18 registration date.

19 (c) Any change in subject matter, length, or instructor of a course shall require a new application.

20 (d) The application form is available at the website listed address in Rule .0101 of this Chapter.

21 (e) The application form shall be submitted as a fillable PDF and shall not be submitted as a handwritten form.

22

23 *Authority G.S. 88A-6; 88A-13*



1 21 NCAC 19 .0706 is proposed for adoption as follows:

2

3 **21 NCAC 19 .0706 WAIVER**

4 The Board may waive any rule in this Chapter that is not statutorily required if a licensee, or applicant for license or  
5 certification, submits a written request to the address in Rule .0101 of this Chapter. Factors the Board shall use in  
6 determining whether to grant the waiver are:

7 (1) degree of disruption to the Board;

8 (2) cost to the Board;

9 (3) degree of benefit to the public;

10 (4) whether the requesting party had control over the circumstances that required the requested waiver;

11 (5) notice to and opposition by the public;

12 (6) need for the waiver; and

13 (7) previous requests for waivers submitted from the requesting party.

14

15 *Authority G.S. 88A-6; 150B-19(6)*