



# NORTH CAROLINA BOARD OF ELECTROLYSIS EXAMINERS

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**BOARD MEMBERS IN ATTENDANCE:** Margaret Wingate, Charlene Poole, Stacy Miller, Dr. Craig Burkhart.

Others in Attendance: Susan Magas, Dennis Seavers, Jack Nichols.

Chairman Wingate called the meeting to order and read the *Ethics and Conflict of Interest Reminder*. Board members indicated they had no conflicts. New Board Member, Dr. Craig Burkhart was introduced and welcomed to the Board.

## **APPROVAL OF MINUTES**

On a motion by Burkhart, seconded by Poole, the minutes of the January 30, 2022 semi-annual meeting were approved.

## **TREASURER REPORT**

This report was deferred until the July meeting.

## **OLD BUSINESS**

Mandatory 93-B Training- Burkhart and Miller still need this training. Nichols will have his staff send a message soliciting dates to conduct the training on a Friday evening.

Unlicensed Electrologist Update- An unlicensed practitioner case is now mostly resolved. After filing a lawsuit, the parties mediated a consent settlement that the practitioner has now signed. Future noncompliance will be under the jurisdiction of a judge. The practitioner has paid initial licensing fees and has completed the first round of 15 hours of continuing education on infection control. She has expressed a desire to be licensed in laser; however, an application has not yet been received.

## **NEW BUSINESS**

Supervisory Physician Agreement - Burkhart discussed a proposed universal agreement for laser supervisory physicians. A correction was made regarding Physician Assistants which are not applicable to our board. Nichols will contact the Medical Board regarding one other provision about physician treatment of supervisees. On a motion by Miller, seconded by Burkhart, the Board approved, with corrections, the proposed universal agreement. (See the document attached to these minutes)

Website Directory for Laser Practitioners - Margaret presented a new application for the Board website that would separate laser practitioners on the website directory and provide more information to consumers. The listing would include a link to the licensee's supervisory physician, as well as, a list of his/her Supervisees with names giving the laser practitioners more creditable and exposure. The website changes were unanimously approved by the Board.

Rules Change Proposed - A number of rules changes are needed to deal with issues raised since the Board's last revision. Because of his experience in drafting rules for the Barber Board, Dennis Seavers was asked by Chairman Wingate to format some proposed changes for submission to the Rules Commission. Following is a discussion of each proposed change and the reason for the change. The Board considered and approved unanimously all proposals. Seavers will submit the required forms to the Office of Hearing and Appeals so that the proposed changes may be published in the NC Register. A public hearing will be scheduled at a later date.

1 **Rule .0101** – Rule revised to include all Board contact information, including mailing address, email address,  
2 website address and telephone number. This rule does not require Rules Commission approval, but may be  
3 submitted for adoption.

4 **Rule .0103** – Rule repealed. Revised and relocated continuing education definition to .0404.

5 **Rule .0404** –

6 (2) Typo in formatting corrected “Antiseptic”

7 (10) – Relocated from repealed .0103 with revision to redefine the term and value of one CEU

8 “Continuing education unit” or “CEU” means one contact hour of participation in an organized learning experience that is:

- 9 (a) related to the practice of electrolysis or laser light-based hair reduction;
- 10 (b) contributes to the competency of a practitioner of electrolysis or laser light-based hair reduction;
- 11 (c) obtained by a licensee after the original granting of licensure; and
- 12 (d) approved by the Board at least 30 days before the event according to the standards set forth in G.S. 88A-13.

13  
14 (31) – Added a definition for “in-person seminar”

15 “In-person seminar” is continuing education that occurs in a physical location rather than online.

16 **Rule .0701** - Revised length of practice requirement for frequency of continuing education; clarified the number of  
17 redefined CEU’s required for license renewal (see .0404); revised CEU carryover provisions; clarify timing of  
18 inspections for initial licensing and license renewal; and clarify requirement of new licensees to renew licenses and  
19 undergo inspections for the year subsequent to initial licensure.

20 **21 NCAC 19 .0701 CONTINUING EDUCATION REQUIREMENTS, LICENSE RENEWAL, REINSTATEMENT AND REACTIVATION**

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

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

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

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

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

13 **Rule .0702** – Revised the information required by the Board in order to consider approval of continuing education  
14 courses.

15 **21 NCAC 19 .0702 BOARD APPROVAL OF COURSES**

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

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

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

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

- 28 (1) Title, location, and date of the ~~course;~~ course or courses;
- 29 (2) Sponsoring entity;
- 30 (3) Course objective and outline of each course's content;
- 31 (4) Hours of ~~study;~~ study for each course topic; and
- 32 (5) Name, education, and background of each instructor.

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

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

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

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

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

48

1 **Rule .0703** – Revises the computation of CEU in conformance with proposed change in .0404.

2 **21 NCAC 19 .0703 COMPUTATION OF CONTINUING EDUCATION UNITS**

- 3 (a) To obtain credit as a contact hour of continuing education, the learning activity scheduled for an hour shall occupy at least 50 minutes of the hour.  
4 (b) An electrologist may fulfill the continuing education requirements of Rule .0701 of this Section by completing more than one course if the total equals ~~one~~ 10 or more  
5 CEUs.  
6 (c) One semester credit hour at a university or college shall be equivalent to ~~one~~ 10 CEUs. A course may be audited or taken for credit.  
7 (d) An electrologist who teaches in a program or course approved by the Board may obtain CEU credit at the rate of four contact hours for each contact hour of teaching.  
8

9 **Rule .0704** - changed to clarify rules for carryover of CEUs and to reflect current style standards dictated by Rules  
10 Review Commission.

11 **21 NCAC 19 .0704 TIME LIMITS ON CREDIT**

12 ~~An electrologist or laser hair practitioner may carry over up to one CEU from one renewal period to the next. An electrologist or laser hair practitioner applying for~~  
13 ~~reinstatement under 21 NCAC 19 .0203(b) who is Rule .0203(b) of this Chapter and presenting CEUs in satisfaction of competency requirements may, however, subject~~  
14 ~~to the requirements of 21 NCAC 19 .0701(e), may receive credit for that purpose for any CEUs taken during the time the applicant's license was expired. expired, subject~~  
15 ~~to the requirements of Rule .0701(c) of this Chapter.~~  
16

17 **Rule .0705** - a new rule that would establish the requirements for the Application for Approval of Continuing  
18 Education.  
19

20 **21 NCAC 19 .0705 APPLICATION FOR APPROVAL OF CONTINUING EDUCATION**

- 21 (a) The application for approval of continuing education shall be filed as set forth in Rule .0702(d) of this Chapter. It requests the following:  
22 (1) the application date;  
23 (2) the sponsoring entity offering the continuing education;  
24 (3) the name of the speakers or presenters;  
25 (4) the title of the course;  
26 (5) the location of the course;  
27 (6) the date of the course;  
28 (7) the number of hours of study;  
29 (8) the course objectives and a summary of the course content;  
30 (9) the educational or professional background of the speakers or presenters, or a copy of the curricula vitae of the speakers or presenters; and  
31 (10) a summary of the learning outcomes of the course.  
32 (b) Applicants shall submit the form to the address in Rule .0101 of this Chapter at least two months before the course-registration date.  
33 (c) Any change in subject matter, length, or instructor of a course shall require a new application.  
34 (d) The application form is available at the website listed address in Rule .0101 of this Chapter.  
35 (e) The application form shall be submitted as a fillable PDF and shall not be submitted as a handwritten form.  
36

37 There being no further business, the meeting was adjourned by motion of \_\_\_\_\_ seconded by \_\_\_\_\_

38 Time: \_\_\_\_\_

39 Respectfully submitted by:

40 Susan G. Magas, Administrative Assistant /for/ Margaret S. Wingate, Chairman