

Michigan Office of Administrative Hearings and Rules
611 West Ottawa Street; 2nd Floor, Ottawa Building
Lansing, MI 48933
Phone: (517) 335-8658 FAX: (517) 335-9512

**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate the rules must complete and submit this form electronically to the Michigan Office of Administrative Hearings and Rules (MOAHR) at o'berryd@michigan.gov.

1. Agency Information:

Agency name:	Department of Licensing and Regulatory Affairs		
Division/Bureau/Office:	Bureau of Professional Licensing		
Name, title, phone number, and e-mail of person completing this form:	Rick Roselle, Senior Policy Analyst, 517-335-1769, roseller1@michigan.gov		
Name of Departmental Regulatory Affairs Officer reviewing this form:	Liz Arasim Department of Licensing and Regulatory Affairs		

2. Rule Set Information:

MOAHR assigned rule set number:	2018-065 LR
Title of proposed rule set:	Barbers – General Rules

3. Purpose for the proposed rules and background:

The purpose of the proposed rules is to amend the previously adopted rules to eliminate outdated language and create consistency with 1980 PA 299, known as the Occupational Code. Many of the rules establishing sanitation and equipment requirements have not been revised since 1991. The proposed rules will amend the sanitation and equipment standards to reflect current standards that the Board of Barber Examiners considers acceptable for the profession and revise the barber college curriculum requirements to add a new subject and adjust the minimum hours of training required in each subject.

4. Summary of proposed rules:

R 339.6031: This rule pertains to sanitation requirements of a premises used by a licensee. The rule will be amended to add work surfaces among the areas that must be kept clean, allow the use of plastic bags in waste containers, require keeping waste containers covered, and prohibit locating a washbasin that is used to satisfy the sanitation requirements under the rules in a restroom or out of view of the work area where services are performed on patrons.

R 339.6033: This rule pertains to sanitation requirements of tools and equipment. The rule will be amended to remove a reference to the Michigan Department of Public Health and replace the United States Department of Agriculture with the United States Environmental Protection Agency (EPA) as the federal agency used for determining registration of chemicals that are acceptable for sanitizing tools and equipment. The proposed rule will also require maintaining tools and equipment in a sanitary and safe condition and storing certain tools and equipment in covered containers.

R 339.6037: This rule pertains to patron protection requirements. The rule will be amended to require disposing of used cloth neck strips in covered containers.

R 339.6041: This rule pertains to barber college construction standards and required equipment. The rule will be amended to require adequate toilet facilities to meet the needs of the number of enrolled students while eliminating design requirements pertaining to separate facilities for men and women, lighting and ventilation, and water supply. In addition, the proposed rule will remove requirements for barber schools to provide a chalkboard, a chart of the skin and hair, and a standard dictionary and medical dictionary.

R 339.6047: This rule pertains to curriculum requirements of a barber college. The rule will be amended to add state board examination preparation as a new subject and adjusts the required theory and practical hours of various subjects. The proposed rule also clarifies that a total of 1,800 hours of training is required, which is the minimum amount required under statute.

5. List names of newspapers in which the notice of public hearing was published and publication dates (attach copies of affidavits from each newspaper as proof of publication).

The Grand Rapids Press, April 4, 2019
The Mining Journal, March 18, 2019
The Flint Journal, April 4, 2019

6. Date of publication of rules and notice of public hearing in *Michigan Register*:

Issue No. 5 – 2019 (Published April 1, 2019)

7. Time, date, location, and duration of public hearing:

9:00 a.m., April 22, 2019, G. Mennen Williams Building Auditorium, 525 W. Ottawa Street, Lansing, Michigan. The hearing lasted for 15 minutes.

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

https://dtmb.state.mi.us/ORRDocs/RIS/1844_2018-065LR_ris.pdf

9. List of the name and title of agency representative(s) attending public hearing:

Weston MacIntosh, Dena Marks, and Rick Roselle, Department Analysts from the Bureau of Professional Licensing.
Kerry Przybylo, Manager from the Bureau of Professional Licensing.

10. Persons submitting comments of support:

There were no comments received in support of this rule set.

11. Persons submitting comments of opposition:

There were no comments received in opposition of this rule set.

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12. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments Made at Public Hearing	Written Comments	Agency Rationale for Change	Rule Number & Citation Changed
1.	There were no comments received from the public regarding this rule set.				
2.					
3.					
4.					

13. Date report completed:

April 30, 2019