

Supporting Documentation

Presented to the

Joint Committee on Administrative Rules and Regulations

8:30 AM, Monday, February 8, 2016

State House, Room 281N

Senator Vicki Schmidt, Chair

on behalf of

Permanent Regulations **K.A.R. 61-7-1, 61-7-2 and 61-3-7**

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Jt Cmte on Adm Rules and
Regulations

Attachment 2

Date 2-08-2016

61-7-1. (Authorized by K.S.A. 65-1825; implementing K.S.A. 1982 Supp. 65-1817; effective

May 1, 1983; revoked, T-_____, _____; revoked P-_____.)

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61-4-2. Renewal of licenses and certificates of registration. (a) All barber, shop owner, chair lessee, and instructor licenses shall be renewed on an alphabetical basis as follows:

(1) Barbers, shop owners, chair lessees, and instructors whose last name begins A-C and M-O shall renew their licenses annually on or before March 31.

(2) Barbers, shop owners, chair lessees, and instructors whose last name begins D-F and P-R shall renew their licenses annually on or before June 30.

(3) Barbers, shop owners, chair lessees, and instructors whose last name begins G-I and S-U shall renew their licenses annually on or before September 30.

(4) Barbers, shop owners, chair lessees, and instructors whose last name begins J-L and V-Z shall renew their licenses annually on or before December 31.

(b) The restoration fee for late renewals shall be an amount which is less than the license fee, for the first 30 days after the expiration date. After this 30 day period the restoration fee shall be the full amount of the license fee.

(c) Students, upon passing the master barber examination, shall be issued a barber license, the cost of which shall be prorated. This license shall expire in the proper quarter as provided in subsection (a).

(d) The barber schools and colleges shall continue to renew their licenses annually on or before December 31. (Authorized by K.S.A. 65-1825; implementing K.S.A. 1982 Supp. 65-1819; effective, E-81-37, Dec. 10, 1980; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983.)

Article 5.—APPLICATIONS

61-5-1. Limitation on filing date. Any person who desires to practice barbering shall file with the board a completed application with proper amount of fees not later than 15 days before the examination. (Authorized by K.S.A. 65-1825; implementing K.S.A. 1982 Supp. 65-1817; effective Jan. 1, 1966; amended May 1, 1982; amended May 1, 1983.)

Article 6.—RECIPROCITY

61-6-1. Reserved.

61-6-2. Barbers who qualify for reciprocity.

Effective July 1, 1980, a reciprocal barber's license shall be issued to licensed registered barbers who meet the following requirements: (1) Currently licensed in a state, territory, or country, which has a reciprocal agreement with Kansas.

(2) Actively licensed and practicing barbering for at least twenty-four (24) months. The applicant shall provide the board with a notarized statement from previous and current employers attesting to this.

(3) Submit a letter from the current licensing board verifying that the licensee is in good standing.

(4) Certify in writing that he or she has read, understands, and will abide by the rules, regulations, and statutes of the state of Kansas.

(5) Submit an application subject to approval by the board. The reciprocal fee shall accompany the application.

(6) The reciprocal fee shall be a processing and license fee equal to the examination and barber license fee. (Authorized by K.S.A. 65-1813, 65-1825, 74-1806; effective, E-81-17, June 25, 1980; effective May 1, 1981.)

Article 7.—FEES

61-7-1. Fees. The board of barber examiners shall charge the following fees as provided in statute.

For examination of applicant to practice as a barber ..	\$40
For issuance of certificate to practice as a barber.....	35
For renewal of certificate to practice as a barber	35
For restoration of expired certificate, less than thirty days late	20
For restoration of expired certificate to practice as a barber, under three years old, each year	35
After three years applicant shall be reexamined upon payment of the regular examination fee	40
For teacher's certificate or annual renewal thereof	40
For restoration of expired teacher's certificate, under three years old, each year.....	40
After three years the teacher shall be reexamined upon payment of the regular examination fee	110
For permit to operate a barber school or barber college, annual fee	330
For shop inspection, and annual license fee.....	15
For a new shop, relocation or change of ownership ...	40
For issuance of a seminar permit	30

(Authorized by K.S.A. 65-1825; implementing K.S.A. 1982 Supp. 65-1817; effective May 1, 1983.)

Chapter 65.--PUBLIC HEALTH
Article 18.--EXAMINATION, REGISTRATION AND REGULATION OF BARBERS

65-1817. Fees; determination and collection; limitations; duplicate licenses.

(a) In each fiscal year, the board shall determine the amount of funds which will be required during the next ensuing fiscal year to properly administer the laws which the board is directed to enforce and administer and shall fix fees in accordance with this section for such ensuing year in such reasonable sums as may be necessary for such purposes.

(b) After fixing such fees, the board may charge and collect the fees, in advance for the following purposes, subject to the following limitations:

For examination of applicant to practice barbering--not more than.....	\$100
For issuance of license to practice barbering--not more than.....	80
For renewal of license to practice barbering--not more than.....	80
For restoration of expired license to practice barbering, if expiration period is under three years, the lapsed fees plus a restoration fee of not more than.....	100
After three years applicant shall be reexamined upon payment of the regular examination fee--not more than.....	100
For instructor license or annual renewal thereof--not more than.....	90
For restoration of expired instructors license, if expiration period is under three years, the lapsed fees plus a restoration fee of not more than.....	90
After three years the instructor shall be reexamined upon payment of the regular examination fee--not more than.....	170
For a license to operate a barber school or barber college, annual fee --not more than.....	500
For shop inspection, and annual license fee--not more than.....	40
For restoration of expired shop license, if expiration period is under three years, the lapsed fee plus a restoration fee of not more than.....	80
For a new shop, relocation or change of ownership--not more than.....	80
For issuance of a seminar permit--not more than.....	80
For issuance of student learning license--not more than.....	55

(c) A duplicate license will be issued upon the filing of a statement covering the loss of same and the payment of a fee of \$5 for the issuance of same. Each duplicate shall have the word "duplicate" stamped across the face thereof and will bear the same number as the original.

History: L.1939, ch.241, § 10; L. 1949, ch. 333, § 1; L. 1956, ch. 52, § 11; L. 1957, ch. 431, § 8; L. 1958, ch. 53, § 1 (Budget Session); L. 1961, ch. 288, § 5; L. 1963, ch. 398, § 12; L. 1970, ch. 255, § 5; L. 1973, ch. 309, § 18; L. 1974, ch. 253, § 2; L. 1975, ch. 321, § 1; L. 1980, ch. 191, § 1; L. 1981, ch. 248, § 5; L. 1982, ch. 265, § 6; L. 1990, ch. 225, § 7; L. 2003, ch. 36, § 1; July 1.

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Note: To KBOB Statutory and Regulatory Oversight Committee for reference regarding documented increases in barber licensing fees charged for the last 25 years; from 1981 through 2016. LM

1981	\$35.00
1982	\$35.00
1983	\$35.00 – Effective date of K.A.R. 61-7-1
1984	\$35.00
1985	\$35.00
1986	\$35.00
1987	\$35.00
1988	\$35.00
1989	\$35.00
1990	\$35.00
1991	\$50.00
2000	\$50.00
2001	\$50.00
2002	\$50.00
2003	\$50.00
2004	\$65.00
2005	\$65.00
2006	\$65.00
2007	\$65.00
2008	\$80.00 – Current license fee
2009	\$80.00
2010	\$80.00
2011	\$80.00
2012	\$80.00
2013	\$80.00
2014	\$80.00
2015	\$80.00
2016	\$80.00

61-7-2. Fees. The following fees shall be charged by the board:

(a) Barber license

(1) Examination to practice barbering	\$100
(2) Issuance of license to practice barbering	80
(3) Renewal of license to practice barbering	80
(4) Restoration of expired license to practice barbering	

(A) If the expiration period is not more than three years, the restoration and lapsed fees

shall be as follows:

lapsed 1 through 30 days	100
lapsed 31 through 365 days	160
lapsed 366 through 730 days	240
lapsed 731 through 1,095 days	320

(B) For each barbering license that has lapsed for more than three years, the applicant shall be reexamined upon payment of the barbering examination and issuance of license fees

180

(b) Instructor license

(1) Examination to instruct barbering	40
(2) Issuance of license to instruct barbering	40
(3) Renewal of license to instruct barbering	40
(4) Restoration of expired instructor's license	

(A) If the expiration period is not more than three years, the restoration and lapsed fees shall be as follows:

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lapsed 1 through 30 days	60
lapsed 31 through 365 days	80
lapsed 366 through 730 days	120
lapsed 731 through 1,095 days	160

(B) For each instructor's license that has lapsed for more than three years, the instructor shall be reexamined upon payment of the examination, instructor's license, and renewal fees 120

(c) License to operate a barber school or barber college (annual fee) 500

(d) License to operate a barber shop

(1) Shop inspection and annual license fee 40

(2) Restoration of expired shop license. If the expiration period is not more than three years, the restoration and lapsed fees shall be as follows:

lapsed 1 through 30 days	55
lapsed 31 through 365 days	120
lapsed 366 through 730 days	160
lapsed 731 through 1,095 days	200

(3) New shop, relocation, or change of ownership 80

(e) Seminar permit 80

(f) Student learning license 55

(Authorized by and implementing K.S.A. 2015 Supp. 65-1817; effective, T-_____, _____;
effective P-_____.)

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KANSAS BARBER LICENSE FEES – EFFECTIVE AUGUST 15, 2014

BARBER LICENSE OR RENEWAL	\$80.00
SHOP LICENSE RENEWAL	40.00
SHOP LICENSE – NEW, RELOCATION OR CHANGE OF OWNER.....	80.00
INSTRUCTORS LICENSE OR RENEWAL.....	40.00

RESTORATION OF EXPIRED LICENSES:

BARBER: If lapsed 1 to 30 days - \$100; 31 to 365 days - \$160; 366 to 730 days - \$240; 731 to 1095 days - \$320.
Must re-examine if not renewed within three years.

SHOP: If lapsed 1 to 30 days - \$55; 31 to 365 days - \$120; 366 to 730 days - \$160; 731 to 1095 days - \$200.

BARBER INSTRUCTOR: If lapsed 1 to 30 days - \$60; 31 to 365 days - \$80; 366 to 730 days - \$120; 731 to 1095 days - \$160.

RENEWAL DATES	
IF LAST NAME BEGINS WITH	RENEW BETWEEN
ABC MNO	Jan. 1 and Mar. 31
DEF PQR	Apr. 1 and Jun. 30
GHI STU	Jul. 1 and Sept. 30
JKL VWXYZ	Oct. 1 and Dec. 31

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61-3-7. Minimum requirements for opening a barber school or barber college. (a) Each approved barber school or barber college shall have at least ~~10~~ three students enrolled and at least ~~2,500 square feet of floor space available~~ five feet between the centers of each adjoining barber chair in the clinical demonstration room before opening. If the barber school or barber college is located in a building in which another entity operates a business or school that conducts or teaches anything other than barbering as defined in K.S.A. 65-1809 and amendments thereto, the barber school or barber college shall have a separate entrance and shall be completely separate within that building, except as provided in subsection (b).

Each barber school or barber college shall have at least two rooms accessible to its students at all times. One room shall be used for class study, examinations, and lectures, and the other room shall be used for practical demonstrations. The barber school or barber college shall provide ~~two restrooms~~ at least one restroom with a toilet and washbasin, which shall be kept in a sanitary condition. Each room shall be equipped to meet the requirements of all applicable regulations of the ~~Kansas state board of barbering~~.

(b) Any barber school or barber college that shares a building in which another entity operates a business or school that conducts or teaches anything other than barbering may share the following facilities with that entity:

- (1) Classrooms other than the clinic floor, if no classroom is used by both the entity and the barber school or barber college at the same time;
- (2) restrooms; and

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(3) common areas, including reception areas, lounges, and hallways. (Authorized by and
implementing K.S.A. 65-1825a, K.S.A. 2014 2015 Supp. 74-1806; ~~implementing K.S.A. 65-~~
~~1810~~; effective Jan. 1, 1966; amended May 1, 1988; amended March 20, 2015; amended, T-
_____, _____; amended P-_____.)

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**Kansas Board of Barbering
Telephonic Survey of Kansas Barbers
Conducted Wednesday, February 3, 2016
9:00 AM to 12:00 Noon**

Survey Process

- ***640 Total Kansas Licensed Barber Shops***
- ***Survey Field included calls to 73 Shops***
- ***12% of Total Shops***

Question	Percent YES	Percent NO	Average
Do you feel there is a shortage of barbers in Kansas?	78%	22%	
Do you feels there is a shortage of quality barber schools in Kansas?	90%	10%	
One problem with opening new barber schools in Kansas is the shortage of licensed instructors. Do you approve of an instructor apprentice program to train instructors?	82%	18%	
Do you feel having an annual inspection for all barber shops is sufficient to ensure an adequate level of Public Safety?	97%	3%	
Do you feel the \$80.00 annual barber license fee and \$40.00 shop license fee is fair and reasonable?	100%		
From 1-10 with 10 being most important, how would you rate the importance of the Kansas Board of Barbering to the barbering industry in Kansas?			Overall Average of 9.2%

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Barbering Members of the Kansas Board of Barbering (KBOB)

Board Member	Kansas Barber's License	Reciprocal State Barber's License	Kansas Barber Instructor's License	Reciprocal State Instructor's License	Total Years as Licensed Barber	Total Years as Licensed Barber Instructor
Victoria Rajewski	34 years		28 years		34 years	28 years
Larry Ross	35 years	24 years	3 years		59 years	3 years
Heather Earlington	6 years	29 years	6 years	6 years	35 years	6 years
Troy Franklin	21 years				21 years	
Total Years for Board Members	96 years	53 years	37 years	6 years	149 years	37 years

Staff Member						
Inspector Jeri Bryant	25 years		6 years		25 years	6 years

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THREE YEAR STRATEGIC PLAN FY-16, 17 and 18

As modified and approved by the Board on October 31, 2015

Vision: To be recognized as an effective and efficient Fee Funded Board for Protection of the Consuming Public and Supervision of the Barbering Industry.

Mission: The Mission of the Kansas Board of Barbering is to protect the health and welfare of the consuming public through the enforcement of barber statutes and regulations regarding sanitation in the barber profession; to ensure only qualified and well trained barbers and barber instructors are licensed; to ensure all shops and barber colleges are properly licensed and operating effectively; to provide supervision and support for the industry, including ensuring effective regulations are in place to allow the Kansas Barber Industry to be State of the art; balancing fees, fines and costs; communicating effectively with the profession and the public; and, ensuring the Board and Staff are knowledgeable and well qualified.

Goals: Goal #1 – Effectively Protect the Consuming Public!

Goal #2 – Effectively Supervise the Barbering Industry!



KBOB Goals, Objectives and Strategies for FY-16, 17 & 18

Goal #1 – Effectively Protect the Consuming Public

OBJECTIVES	STRATEGIES	PRIORITY
Ensure Sanitation is in accordance with Regulations	Ensure good sanitation practices are taught thoroughly in barber schools and verified during Examinations.	FY 16 – 18 #1
	Provide annual inspections of shops and quarterly inspections of schools to ensure sanitation and other regulations are in compliance with required expectations.	FY 16 – 18 #1
	Issue fines to shops, schools and/or barbers found in violation of regulations.	FY 16 – 18 #1
Ensure all professionals in the barber industry are qualified and knowledgeable	Instructors: From the perspective of ensuring the knowledge of basics, consider the use of NIC written and practical Instructor examinations.	FY – 17 #1
	Instructors: From the perspective of knowledge of the teaching process, consider working with a Community College to conduct continuing education for Instructors regarding professional teaching methods.	FY – 17 #1
	Instructors: From the perspective of ensuring quality continuing education, consider the use of NIC web based continuing education for Instructors	FY – 17 #2
	School Administrators – identify the best possible process to ensure school administrators know the basic rudiments of teaching; professionally and specifically to barbering.	FY – 18 #1
	Barbers – identify the best possible process to ensure barbers continue to be knowledgeable about changes in the profession, possibly via some form of seminars and/or the use of a news letter; whether on or off the web site.	FY – 18 #2

Goal #2 – Effectively Supervise the Barbering Industry

OBJECTIVES	STRATEGIES	PRIORITY
Ensure effective regulations are in place to allow the Kansas Barber Industry to be State of the Art.	Review and implement both temporary and permanent regulations for Cosmetologist Cross-Over Licensing	FY – 16 #1
	Review and implement regulatory changes to make it easier for entrepreneurs and others to start a barber school, including issues regarding barbers not required to serve as administrators; reevaluate the need to have two instructors for 10 students (and on-going ratio requirements); whether it is necessary to have 2,500 sq. ft. and other Regulations as determined appropriate.	FY – 16 #1
Balance Fees, Fines and Costs	Generate more licensed barbers to help reestablish the industry in counties where there are no barbers and generate more revenue to operate the Board without increasing fees, as much as practical.	FY – 16 #1
	License more barber schools in Community Colleges, Tech Schools, Trade Schools and State Prisons.	FY – 16-18 #1
	Potentially create fees through Board sanctioned seminars.	FY – 18 #2
Improve Communication with Stakeholders	Improve and expand the KBOB web site to include additional useful information.	FY – 17 #1
	Develop an information letter that will go out with each new barber, instructor and school license.	FY – 16 #1
	Develop a newsletter to be included on the web site – and generally update the site.	FY – 17 #1
	Find a way to utilize social media; including use of mobile notifications.	FY - 18
	Utilize press releases to notify the public of happenings in the industry, including both good things happening as well as notifying the public (and barbers) of barbers who's licenses have expired.	FY – 17 #2

OBJECTIVES	STRATEGIES	PRIORITY
Ensure the Board and Staff are knowledgeable regarding the industry, nationwide.	Join the National Association of Barber Boards of America to enable Board Members and Staff to attend national meetings – whether paid for personally or, if funds are available, to be reimbursed by KBOB.	FY – 17 #1