

Approved: February 7, 2008

Date

MINUTES OF THE HOUSE GOVERNMENT EFFICIENCY AND TECHNOLOGY COMMITTEE

The meeting was called to order by Chairman Jim Morrison at 3:36 P.M. on February 5, 2008, in Room 526-S of the Capitol.

All members were present except Representatives Johnson, Sloan, Tafanelli, Holland, and Mah, all of whom were excused.

Committee staff present:

Mary Galligan, Kansas Legislative Research Department  
Jennifer Thierer, Kansas Legislative Research Department  
Rena Jefferies, Office of Revisor of Statutes  
Gary Deeter, Committee Assistant

Conferees appearing before the committee:

Mary Lou Davis, Executive Director, Kansas Board of Cosmetology  
Betty Wright, Executive Director, Kansas State Dental Board

Others attending:

See attached list.

The minutes for February 4, 2008, were approved. (Motion, Representative Wilk; second, Representative Siegfried)

The Chairman invited action on **HB 2730** - the taxpayer's transparency act. A motion was made, seconded, and unanimously passed to work the bill. (Motion, Representative Wilk; second, Representative Siegfried)

Representative Kelley made a motion, seconded by Representative Siegfried, to pass out the bill favorably.

Discussion centered around a possible sunset for the bill. A motion was made by Representative Loganbill, seconded by Representative Ruiz, to include a sunset provision of July 1, 2013.

Members discussed the amendment. One member, agreeing with the intent of the bill, expressed concern about unforeseen and unintended consequences. Another member countered that if the bill changes, it will likely change into providing more, not less, transparency, a good kind of change. As the Financial Management System is built, the transparency focus will become more robust. Another member said the sunset provision will provide an opportunity to assess the bill's effectiveness.

The amendment passed, 8-3.

Further discussion on the bill focused on any possible fiscal impact. A member suggested designating that the Department of Administration accept responsibility for expenses associated with the website and pay the expenses of the Transparency Board. Staff observed that the Information Network of Kansas supports the cost of the website but does not pay the subsistence allowance provided for the Transparency Board. The Chair

## CONTINUATION SHEET

MINUTES OF THE House Government Efficiency and Technology Committee at 3:36 P.M. on February 5, 2008, in Room 526-S of the Capitol.

suggested a revised fiscal note.

The motion to recommend the bill favorably was passed unanimously as amended.

The Chair welcomed Mary Lou Davis, Executive Director, Kansas Board of Cosmetology, who briefed the Committee on the responsibilities of the Board of Cosmetology (Attachment 1). Giving a brief history, she said the board was established in 1927 to regulate the practice of cosmetology; tanning facilities were added to the Board's responsibilities in 1993, and body-art practices were included in 1997. She said the governor-appointed eight-member board includes three representatives from the cosmetology profession, one from cosmetology schools, one representing tanning facilities, one representing body art, and two members representing the general public. Of the twelve staff members, four are field compliance inspectors.

Ms. Davis said the Board functions on two levels: licensure and compliance. The Board licenses 24,800 individuals every two years, licenses over 3800 facilities annually, as well as 34 schools, which provide over 250 instructors educating approximately 2800 students each year. She noted in addition that the Board licenses about 680 tanning facilities and 133 body-art practitioners in 69 facilities.

Explaining compliance issues, Ms. Davis said that the Kansas Department of Health and Environment establishes infection-control regulations, and the Cosmetology Board enforces the regulations. She said in CY 2006 the Board received 310 complaints; in CY 2007, over 300 complaints. Any complaint triggers a response from the Board: a letter of inquiry or an investigation. She said the Board has increased communications with licensees: a newsletter, the Board website, and, in 2007, 77 field seminars. She explained that disciplinary action may include a warning, a fine, or a cease-and-desist order; in 2006 153 disciplinary actions were taken, resulting in over \$67,000 in fines. In 2007, over 200 disciplinary actions resulted in over \$100,000 in fines.

Betty Wright, Executive Director, Kansas State Dental Board, reported on the activities of the Dental Board (Attachment 2). She said the Board was created by the Kansas legislature in 1943 and provides oversight for 2036 dentists and 2132 dental hygienists. The nine-member board consists of six dentists, two dental hygienists, and a public member and is supported by three staff members. She listed the functions of the Board: evaluate applicants; monitor continuing education; approve dental schools, dental hygiene schools, internship programs, and scaling assistant courses; draft regulations and recommend statutory revisions; investigate all complaints; and discipline licensees for violations of the Dental Practices Act. She said the Board contracts with a dentist to do inspections and investigations; the contractor may sub-contract for certain investigations. She noted that the Board investigated 187 complaints in 2007, 150 complaints in 2006; there were 13 disciplinary actions taken in 2007; seven in 2006.

Answering questions, Ms. Wright said each dentist sets his/her own fee structure and that complaints regarding fees are referred to the Kansas Dental Association. She responded that the investigator reports findings to the Board and that complaints are considered confidential and not listed on the Board's website.

## CONTINUATION SHEET

MINUTES OF THE House Government Efficiency and Technology Committee at 3:36 P.M. on February 5, 2008, in Room 526-S of the Capitol.

Ms. Davis answered further questions, saying that the cosmetology inspectors are not considered investigators and that, if a serious investigation is required, the Cosmetology Board requests assistance from the Kansas Attorney General. She explained that inspectors are always licensed cosmetologists who receive specialized training regarding standards. She replied that the Board investigates any complaint, even anonymous ones.

The meeting was adjourned at 4:22 p.m. The next meeting is scheduled for Wednesday, February 6, 2008.



# KANSAS BOARD OF COSMETOLOGY

KATHLEEN SEBELIUS, GOVERNOR

## House Committee on Governmental Efficiency and Technology February 5, 2008

### Presentation by Mary Lou Davis, Executive Director

Mr. Chairman and Members of the Committee:

In 1927 the Kansas legislature determined that the practice of cosmetology be regulated. Today, this regulatory authority involves not only the practice of cosmetology professions but also the facilities in which these services are provided.

The legislature also deemed it necessary to regulate tanning facilities and therefore law was enacted in 1993. Regulatory authority for these facilities was placed under the Kansas Board of Cosmetology.

In 1997, law was enacted regulating body art practices and the facilities in which these services are provided. This responsibility was also placed under the Kansas Board of Cosmetology's authority.

Therefore the mission of the Kansas Board of Cosmetology is to protect the health and safety of the consuming public by licensing individuals and enforcing standards of practice.

Eight Board members, appointed by the Governor and each serving three-year terms, exercise oversight of the Board's regulatory responsibility. Three members are representative of the cosmetology professions, one member represents the cosmetology schools; one member is representative of tanning facility owners/operators, one member is a licensee of the body art professions and two members represent the "general public interest." Twelve staff members, of which four are field compliance inspectors, ensure that the licensing and compliance responsibilities are met.

#### Licensure:

##### **Cosmetology:**

The cosmetology professions include those practitioners licensed as cosmetologists (hair, skin and nails), manicurists (nail technology), estheticians (skin care) and electrologists (permanent hair removal by needle only). Approximately 24,800 individuals are licensed in these professions. Practitioner renewal is every two years.

Over 3800 facilities are currently licensed in which the above services are provided. A facility may open once a compliance inspection confirms that licensure law and infection control regulations are met. Thereafter facility licenses are renewed on an annual basis.

Additionally the Board licenses 32 cosmetology schools, one nail technology school and one esthetics school. Eight of the school programs are within a community college or vocational education school. Instructors of these students must attain training in teaching skills and methods in addition to maintaining current licensure in the cosmetology profession. Over 250 instructors educate approximately 2800 students/apprentices each year.

Attachment 1  
HGET 2-5-08



Once a student attains the required number of curriculum hours, the licensure candidate must successfully complete the written and practical exams. Thereafter the initial license is issued. Individuals licensed in another state also seek licensure in Kansas. For many, they have the qualifications for licensure as outlined in Kansas law, but before licensure they must successfully complete an open-book exam. This exam covers Kansas law as it pertains to the cosmetology professions and the infection control regulations.

**Tanning:**

Approximately 680 tanning facilities are currently licensed by the Kansas Board of Cosmetology. Like cosmetology facilities, a tanning facility may open and a license is issued once a compliance inspection confirms that infection control regulations and licensure laws are met. Facility licenses are renewed annually.

**Body Art:**

Body art practitioners include tattoo artists, cosmetic tattoo artists and body piercers. The Board currently licenses 133 practitioners and 69 body art facilities.

Licensure practitioners must attain training as outlined in law and regulation and must successfully complete written and practical exams. The training is attained through an apprenticeship under direct supervision of a Board licensed trainer. Licenses for body art practitioners are renewed annually.

Facilities may open once a compliance inspection verifies laws and regulations are met. Thereafter facility licenses are renewed annually.

**Compliance:**

The second major responsibility in safeguarding the health and welfare of the consuming public is the inspection of facilities. This function is carried out by four full-time inspectors. These individuals work diligently to inspect the 4500+ facilities each year. The Board's goal is to inspect at the least 98% of all facilities; this goal has been met for the past six years.

It should be noted that the Kansas Department of Health and Environment promulgates all infection control regulations – however, the Board is charged with enforcing the regulations. In a joint effort, KDHE and the Board revised cosmetology and tanning facility infection control regulations during the past year. These regulations became effective October 2007. The two agencies have preliminarily met regarding revisions for the body art infection control regulations.

A Legislative Post Audit report in 1997 stated the Board did not have an established complaint procedure nor did the Board sufficiently enforce law and regulation. In 1999 the Board began tracking complaints but also established a work process regarding complaints. That first year 13 complaints were filed with the Board. In 2000 the number of complaints increased to 178.

In calendar year 2006 the Board records indicate 310 complaints were forwarded to the agency. For calendar year 2007, the number of complaints also exceeded 300 complaints.

Depending on the nature of the complaint several processes may take place. A letter of inquiry may be the Board's initial contact with the individual against whom an allegation is made, an investigation may be required or an inspector may be directed to conduct an inspection. Complaints do not necessarily result in disciplinary action.

Approximately eight years ago the Board began efforts to enhance communication with licenses. One effort is through the annual newsletter sent to all cosmetology facilities. Other means of communication is through the renewal mailings sent to both practitioners and facility owners. Information can also be easily accessed through the Board website.

To further facilitate high standards of practice and foster communication, the Board initiated a program six years ago whereby Board sponsored infection control seminars were initially held county-wide. Postcard mailings were sent inviting practitioners. A designated question and answer period follows each presentation and feedback is increased through evaluations completed at the end of each seminar. For calendar year 2007, the inspectors conducted 77 infection control seminars.

Once an inspection report is forwarded to the Board and should a facility have infection control violations, the Board enters into a remediation process to bring the facility into compliance. A Board letter is sent to the facility owner outlining their responsibility to respond to the Board order. Within a set timeframe the owner must complete the enclosed remedial action form denoting how the violations were corrected. Once that form is received in the office and reviewed and if appropriate, the facility is in compliance status.

Additionally, sent with each remediation form is an infection control seminar request form. Facility owners are encouraged to submit the form whereby upon a mutually agreed date and time, the inspector conducts the seminar at the facility. As with any countywide seminar, there is no charge to attend a Board sponsored seminar.

Should there be repetitive and habitual infection control violations the Board will take disciplinary action whereby a fine may be assessed and conditions may be set on the facility licensure. One of the conditions is that each facility practitioner must attend a Board sponsored infection control seminar. Thereafter for a period of time monthly inspections are conducted to monitor that the standards of practice have improved.

Should there be violation of law – for instance unlicensed practice – the Board will take disciplinary action against the facility and possibly the individual who was providing the service. A fine may be issued and if necessary a cease and desist order will be issued.

In calendar year 2006, 153 disciplinary actions were taken resulting in just over \$67,000 collected in fines. For calendar year 2007 over 200 disciplinary actions were initiated with over \$100,000 in fines collected.

All disciplinary/legal actions are conducted in “accordance with the provisions of the Kansas administrative procedure act.” (K.S.A. 65-1908 (d)). All fines are deposited in the State General Fund.

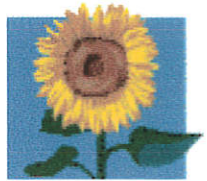
**Fee Increases:**

On Monday, March 10, a public hearing is scheduled regarding fee increases for some practitioners in the cosmetology professions. Cosmetology practitioner fees will not increase; however manicurists, estheticians and electrologists licensure fees will increase to equal the amount for cosmetology licensure. Practitioner licensure renewal is biennial.

This is the first fee increase in over 10 years.

Facilities in which cosmetology services are provided will also have renewal fees increased. Facility renewal is annually. Like the professions listed above, there has been no fee increase in over 10 years.

The fee increase will generate just over \$111,000 with \$22,000 (20%) directed to the State General Fund and the remaining 80%, \$89,000 to the agency fee fund.



## School's Licensed By The Kansas Board of Cosmetology

### ACADEMY OF AESTHETIC ARTS, LLC

10316 Shawnee Mission Parkway  
Shawnee, KS 66203  
800-996-7335 or 913-397-7546  
FAX: 913-962-7560  
<http://www.aestheticarts.org>  
[elite7546@hotmail.com](mailto:elite7546@hotmail.com)

### ACADEMY OF HAIR DESIGN

115 South 5th St  
Salina, Kansas 67401  
Phone: 785/825-8155  
Fax: 785/825-0417  
<http://www.academyofhairsalina.com>  
[janhairart@sbcglobal.net](mailto:janhairart@sbcglobal.net)

### AMERICAN ACADEMY OF COSMETOLOGY

1130 West Loop Place  
Manhattan, Kansas 66502  
Phone: 785/539-1837 & 1-800 696-1765  
Fax: 785/539-1651  
<http://www.americanacademy.edu>  
[david@americanacademy.edu](mailto:david@americanacademy.edu)

### B-STREET DESIGN -- OVERLAND PARK

10324 Mastin  
Overland Park, Kansas 66212  
Phone: 913/492-4114  
Fax: 913-492-2597  
<http://www.bstreetdesign.com>  
[chdkansas@sbcglobal.net](mailto:chdkansas@sbcglobal.net)

### B-STREET DESIGN -- TOPEKA

3602 South Topeka Blvd  
Topeka, Kansas 66611  
Phone: 785/267-7701  
Fax: 785/266-7411  
<http://www.bstreetdesign.com>  
[ccof@sbcglobal.net](mailto:ccof@sbcglobal.net)

### B-STREET DESIGN -- WICHITA

1675 S. Rock Rd., Ste 101  
Wichita, Kansas 67207  
Phone: 316/681-2288  
Fax: 316/681-2368  
<http://www.bstreetdesign.com>

### KANSAS CITY KS AREA VO TECH

2220 North 59th St.  
Kansas City, Kansas 66104  
Phone: 913/627-4100  
Fax: 913/627-4109  
<http://www.kckats.com>  
[ma\\_ander@kckps.org](mailto:ma_ander@kckps.org)

### LA BARON HAIRDRESSING ACADEMY

8119 Robinson  
Overland Park, Kansas 66204  
Phone: 913/642-0077  
Fax: 913/642-0077 - Call First  
<http://www.labarononline.com>  
[labaronop@att.net](mailto:labaronop@att.net)

### LAWRENCE BEAUTY ACADEMY

2211 Silicon Drive  
Lawrence, Kansas 66044  
Phone: 785/843-2535  
Fax: 785/865-1693  
[s\\_caruthers@earthlink.net](mailto:s_caruthers@earthlink.net)

### MITSU SATO HAIR ACADEMY

9062 Metcalf Ave.  
Overland Park, Kansas 66212  
Phone: 913/341-7286  
Fax: 913/341-3411  
<http://www.mitsusatohairacademy.com>  
[macademy@att.net](mailto:macademy@att.net)

### NORTHWEST KANSAS TECHNICAL COLLEGE

1209 Harrison PO Box 668  
Goodland, Kansas 67735  
Phone: 785/890-3151  
Fax: 785/890-5711  
<http://www.nwktc.org/>  
[kclouse@mail.nwktc.org](mailto:kclouse@mail.nwktc.org)

### OLD TOWN BARBER AND BEAUTY COLLEGE

1207 East Douglas  
Wichita, Kansas 67211  
Phone: 316/263-5703  
<http://www.otbbc.com>  
[kshs@swbell.net](mailto:kshs@swbell.net)



[classic@cchd.kscoxmail.com](mailto:classic@cchd.kscoxmail.com)

**COWLEY COUNTY COMMUNITY COLLEGE**

125 S. 2nd St.  
Arkansas City, Kansas 67005  
Phone: 620/441-5315 - 800-593-2222 Ext. 5284  
Fax: 620/441-5350  
<http://www.cowley.edu/departments/business/cosmetology.html>  
[mauzey@cowley.edu](mailto:mauzey@cowley.edu)

**CRUM'S BEAUTY COLLEGE**

PO Box 663  
Manhattan, Kansas 66505  
Phone: 785/776-4794  
Fax: 785/776-4482

**CUTTING EDGE HAIRSTYLING ACADEMY**

7377 Quivira Rd  
Shawnee, Kansas 66203  
Phone: 913/962-0076  
[cuttingedgekc@yahoo.com](mailto:cuttingedgekc@yahoo.com)  
<http://www.cuttingedge-kc.com>

**DODGE CITY COMMUNITY COLLEGE  
COSMETOLOGY DEPT**

2501 N. 14th Avenue  
Dodge City, Kansas 67801  
Phone: 620/225-0288  
Fax: 620/2252353  
[artnails@dc3.edu](mailto:artnails@dc3.edu)  
[lbarb@dc3.edu](mailto:lbarb@dc3.edu)

**ENTOURAGE INSTITUTE OF BEAUTY & ESTHETICS**

12004 W. 95th  
Lenexa, Kansas 66215  
Phone: 913/888-2800  
Fax: 913/322-0747  
<http://www.entouragebeauty.com>  
[skennison@entouragebeauty.com](mailto:skennison@entouragebeauty.com)

**ERIC FISHER ACADEMY**

6727 W. Central  
Wichita, Kansas 67212  
Phone: 316/440-5555  
Fax: 316/4404985  
<http://www.ericfisheracademy.com>  
[info@ericfisheracademy.com](mailto:info@ericfisheracademy.com)

**FT SCOTT COMM COLLEGE  
COSMETOLOGY DEPT**

7 S. National  
Fort Scott, Kansas 66701  
Phone: 620/223-5220  
Fax: 620/223-5240  
<http://www.fortscott.edu/>

**GARDEN CITY COMMUNITY COLLEGE**

801 Campus Drive  
Garden City, Kansas 67846

**PITTSBURG SCHOOL OF BEAUTY**

813 N. Broadway  
Pittsburg, Kansas 66762  
Phone: 620/231-4497  
Fax: 620-235-1754

**REGENCY BEAUTY INSTITUTE**

12517 South Rogers Rd.  
Olathe, Kansas 66062  
Phone: 913/538-5087  
Toll Free: 800/787-6456  
Fax: 913/538-5088  
<http://www.regencybeauty.com>

**REGENCY BEAUTY INSTITUTE**

1930 SW Wanamaker Rd, Suite A.  
Topeka, KS 66604  
Phone: 785/272-0784  
Toll Free: 800/787-6456  
Fax: 785/272-7586  
<http://www.regencybeauty.com>

**SEWARD COUNTY COMMUNITY COLLEGE**

1801 N Kansas  
Liberal, Kansas 67901  
Phone: 800/373-9951 ext. 145  
620/417-1360 & 620/417-1359  
Fax: 620/417-1399  
<http://www.sccc.edu>  
[sscheib@sccc.edu](mailto:sscheib@sccc.edu)

**SIDNEY'S HAIRDRESSING COLLEGE**

916 East 4th St.  
Hutchinson, Kansas 67501  
Phone: 620/662-5481  
Fax: same number - call first  
<http://www.sidneyshair.com>  
[billwyer@sidneyshairdress.kscoxmail.com](mailto:billwyer@sidneyshairdress.kscoxmail.com)

**UNIVERSITY PLAZA COSMETOLOGY ACADEMY**

4910 E 21st St N, Suite #4  
Wichita, KS 67208  
Phone: 316-682-1865

**VERNON'S KS SCHOOL OF COSMETOLOGY**

2531 South Seneca  
Wichita, Kansas 67217  
Phone: 800-658-1747 or 316/265-2629  
Fax: 316/263-9985  
<http://www.vksc.edu>  
[flaurino@vksc.edu](mailto:flaurino@vksc.edu)

**VERNON'S KS SCHOOL IN EMPORIA**

720 Commercial  
Emporia, Kansas 66801  
Phone: 620/343-7060  
[flaurino@vksc.edu](mailto:flaurino@vksc.edu)

**VICTORIA'S SCHOOL OF NAIL TECHNOLOGY**

Phone: 620/276-8713  
Fax: 620/276-9630  
<http://www.gcccks.edu>  
[pati.pfenninger@gcccks.edu](mailto:pati.pfenninger@gcccks.edu)

**HAYS ACADEMY OF HAIR DESIGN**

1214 E. 27th St  
Hays, Kansas 67601  
Phone: 785/628-6624 & 785/628-3981  
Fax: 785/623-4870  
<http://www.haysaca.com>  
[haysaca@ruraltel.net](mailto:haysaca@ruraltel.net)

**INDEPENDENCE COMMUNITY COLLEGE  
COSMETOLOGY DEPARTMENT**

200 Arco Place Suite 308  
Independence, Kansas 67301  
Phone: 620/332-1410  
Fax: 620/332-1412  
<http://www.indycc.edu>  
[dcussimano@indycc.edu](mailto:dcussimano@indycc.edu)

**JOHNSON COUNTY COMM. COLLEGE  
COSMETOLOGY DEPT**

9780 West 87th St  
Overland Park, Kansas 66210  
Phone: 913/469-8500 or 913/469-2390  
Fax: 913-649-1050  
<http://www.jccc.edu>  
[apankalla@jccc.edu](mailto:apankalla@jccc.edu)

1813 N Broadway  
Wichita, Kansas 67214  
Phone: (316)264-4663  
Fax: (316)264-1070  
[kimnguyen43@cox.net](mailto:kimnguyen43@cox.net)

**XENON INT'L ACADEMY**

1215 E. Sante Fe  
Olathe, Kansas 66061  
Phone: 913/782-4004  
Toll Free: 800/998-9645  
Fax: 913/782-0449  
[IRhynes@xenonintl.net](mailto:IRhynes@xenonintl.net)  
<http://www.xenonintl.com>

**XENON INTERNATIONAL ACADEMY**

3804 W. Douglas  
Wichita, Kansas 67203  
Phone: 316/943-5516  
Fax: 316/943-7244  
<http://www.xenonintl.com>  
[kmcintosh@xenonschool.com](mailto:kmcintosh@xenonschool.com)

**Z HAIR ACADEMY, INC.**

2429 Iowa Street  
Lawrence, KS 66046  
Phone: 785-749-1488  
<http://www.zcoz.com>  
[ron@zcoz.com](mailto:ron@zcoz.com)



## Notice of Hearing

### KANSAS BOARD OF COSMETOLOGY NOTICE OF HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

The Kansas Board of Cosmetology will conduct a public hearing at 9:00 a.m., March 10, 2008, at the Board office located at 714 SW Jackson, Suite 100, Topeka, Kansas 66603, to consider proposed amendments to regulation K.A.R. 69-11-1.

The following is a summary of the substance of the proposed regulation and its anticipated economic impact.

**K.A.R. 69-11-1.** This regulation increases the initial licensure application fee and renewal fees for electrologists, estheticians and manicurists. The renewal fee will also increase for cosmetology technicians. Licenses for the above listed professions are renewed every two years.

The renewal fee for cosmetology related establishments will also increase. Establishment licenses expire annually on June 30.

Cosmetology practitioner license fees and related establishments fees were last increased in July 1998.

This regulation is not mandated by federal law.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Mary Lou Davis, Executive Director, Kansas Board of Cosmetology, 714 SW Jackson, Topeka, KS., 66603. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Copies of the regulation and the economic impact statement may be obtained by contacting Cherie Daniels at (785) 296-3155 or by visiting our website at <http://www.kansas.gov/kboc> or by emailing us at [kboc@kboc.ks.gov](mailto:kboc@kboc.ks.gov).

Any persons requiring accommodations under the Americans With Disabilities Act should give notice to the Kansas Board of Cosmetology at least 10 days prior to the hearing date by contacting Mary Lou Davis at (785) 296-3155.

Mary Lou Davis  
Executive Director





## Economic Impact Statement

### ECONOMIC IMPACT STATEMENT K.A.R. 69-11-1

This regulation increases fees for cosmetology licensees and the establishments in which cosmetology services are provided. Licensees and establishments are regulated by the Kansas Board of Cosmetology.

The increased fees do not require a statute revision; therefore the increases may be accomplished through the administrative regulation process. Additionally, none of the fees outlined have been increased since 1998. This regulation is not mandated by federal law and is being proposed on a permanent basis.

**Establishment fees.** Currently the Board licenses approximately 3900 cosmetology related establishments which require an annual \$30 renewal fee; each establishment license expires on June 30. The Board proposes the annual fee be increased to \$50.

**Practitioner licensure fees.** Implementation of this regulation would increase licensure renewals for cosmetology technicians, electrologists, estheticians and manicurists. The biennial renewal fee increase will be \$45. Initial licensure application fees for electrologists, estheticians and manicurists will also increase to \$45.

The Board licenses over 25,000 individuals. Of this number approximately 21,000 are licensed cosmetologists who also renew their practitioner license on a biennial basis. The renewal fee for these licensees is \$45; likewise initial cosmetology licensure applicants submit a \$45 fee. Although this fee regulation revision would not impact licensed cosmetologists the fee revision would provide consistency in that all cosmetology professional licensure fees would be identical.

An initial agency cost will be incurred revising applications and related documents. There will be no added cost to the agency relative to staff time with the implementation of the increased fees. There is no cost to other governmental agencies. There is no economic impact to other state agencies.

The revenue increase is necessary to maintain necessary budget carryover balances. Up to this point the Board absorbed increased costs related to salaries and wages, the purchase and maintenance of four inspectors vehicles, increased fuel costs, postage and printing expense and administrative fees related to the State Treasurer's office, the Judicial Center, Statehouse and Cedar Crest.

The cost of these fees may be reflected in consumers cost of services that licensees provide.

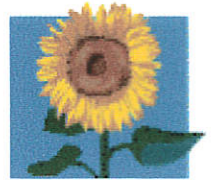
The estimate of revenue is attached.

#### ESTIMATE OF REVENUE.

<u>Number of Licensees</u>	<u>Additional Revenue</u>	<u>20% SGF</u>	<u>KBOC</u>
Cosmetology establishments – annual renewal			
Approximately 3900 licensed facilities	\$78,000	\$15,600	\$62,400
Increase from \$30 to \$50			
Cosmetology technician – renew biennially	\$280	\$56	\$224
Approximately 55 (28)			



Increase from \$35 to \$45			
Electrologists - Renew biennially			
Approximately 46 (23)	\$230	\$46	\$184
Increase from \$35 to \$45			
Estheticians - Renew biennially			
Approximately 620 (310)	\$4,650	\$930	\$3,720
Increase from \$30 to \$45			
Manicurists - Renew biennially			
Approximately 3,236 (1618)	\$24,270	\$4,854	\$19,416
Increase from \$30 to \$45			
Initial licensure			
Estheticians (132 new applications in			
calendar year 2007)	\$4,110	\$822	\$3,288
Manicurists (142 new applications in			
calendar year 2007)			
Increase from \$30 to \$45			
<b>Total:</b>	<b>\$111,540</b>	<b>\$22,308</b>	<b>\$89,232</b>



## Fee Listing

### FEE LISTING K.A.R. 69-11-1

#### K.A.R. 69-11-1. Fees.

The following fees shall be charged:

<u>Description</u>	<u>Previous Fee</u>	<u>New Fee</u>
Cosmetologist examination fee		\$50.00
Cosmetologist license application fee		\$45.00
Cosmetologist license renewal fee		\$45.00
Delinquent cosmetologist renewal fee		\$25.00
Cosmetology technician license renewal fee	<del>\$35.00</del>	<u>\$45.00</u>
Delinquent cosmetology technician renewal fee		\$25.00
Electrologist examination fee		\$50.00
Electrologist license application fee	<del>\$35.00</del>	<u>\$45.00</u>
Electrologist license renewal fee	<del>\$35.00</del>	<u>\$45.00</u>
Delinquent electrologist renewal fee		\$25.00
Manicurist examination fee		\$50.00
Manicurist license application fee	<del>\$30.00</del>	<u>\$45.00</u>
Manicurist license renewal fee	<del>\$30.00</del>	<u>\$45.00</u>
Delinquent manicurist renewal fee		\$25.00
Esthetician examination fee		\$50.00
Esthetician license application fee	<del>\$30.00</del>	<u>\$45.00</u>
Esthetician license renewal fee	<del>\$30.00</del>	<u>\$45.00</u>
Delinquent esthetician renewal fee		\$25.00
Instructor examination fee		\$75.00
Instructor license application fee		\$75.00
Instructor license renewal fee		\$50.00
Delinquent instructor renewal fee		\$75.00
Any apprentice license application fee		\$15.00
New school license application fee		\$150.00
School license renewal fee		\$75.00
Delinquent school license fee		\$50.00
New salon or clinic application fee		\$50.00
Salon or clinic renewal fee	<del>\$30.00</del>	<u>\$50.00</u>
Delinquent salon or clinic renewal fee		\$30.00
Reciprocity application fee		\$50.00
Verification of licensure fee		\$20.00
Fee for a duplicate of any license		\$25.00

Temporary permit fee	\$15.00
Statutes and regulations book	\$5.00

(Authorized by and implementing K.S.A. 1997 Supp. 65-1904, as amended by L. 1998, ch. 160, sec. 4; effective, E-76-44, Sept. 5, 1975; effective Feb. 15, 1977; amended May 1, 1978; amended May 1, 1981; amended May 1, 1982; amended, T-83-21, July 21, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-88-60, Dec. 28, 1987; amended May 1, 1988; amended Jan. 1, 1993; amended Dec. 13, 1993; amended March 22, 1996; amended Nov. 6, 1998; amended P-\_\_\_\_\_.)



# KANSAS

KANSAS DENTAL BOARD

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KATHLEEN SEBELIUS, GOVERNOR

February 5, 2008

House Committee on Government Efficiency and Technology  
State Capitol, Room 526S

Dear Committee Members:

The Kansas Dental Board was first legislated in 1943. Its mission is to protect the public health and welfare through regulation of dentists and dental hygienists. The 9 member board consists of 6 dentists, 2 dental hygienists and a public member. They meet on the average 5 times per year. There are 2036 licensed dentists and 2132 licensed dental hygienists. The board staff consists of myself, the executive director, and two office personnel.

The board has the following functions:

- Evaluates applicants by scrutinizing their credentials and scores on the national exam and on regional clinical exams to assure they are qualified to practice. Office staff gives and arranges for a jurisprudence examination of all new licensees.
- Monitors continuing education a requirement for licensure and for renewals.
- Approves dental schools, dental hygiene schools, internship programs and scaling assistant courses
- Drafts regulations and proposes statutory revisions to assure quality within the profession.
- Investigates all complaints.
- Disciplines licensees for violations of the Dental Practices Act

The Kansas Dental Board uses no State General Funds, it is entirely funded by licensee fees; 20% of our revenue is paid to the state general fund.

I hope this information is helpful, and I stand for any further questions.

Sincerely,



Betty Wright  
Executive Director  
Kansas State Dental Board.

Attachment 2  
HGET 2-5-08