

## **BOARD OF ELECTROLYSIS EXAMINERS**

### **SECTION .0100 - GENERAL PROVISIONS**

#### **21 NCAC 19 .0101 ADDRESS**

- (a) The Board's mailing address is 2 Centerview Drive, Pinehurst Building, Suite 60, Greensboro, NC 27407.
- (b) The Board's email address is ncbeexam@att.net.
- (c) The Board's website address is www.ncbee.com.
- (d) The Board's phone number is (336) 856-1010.

*History Note: Authority G.S. 88A-6;  
Eff. January 1, 1992;  
Amended Eff. September 1, 2010; December 1, 1993;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;  
Amended Eff. June 1, 2022.*

#### **21 NCAC 19 .0102 MEETINGS**

- (a) The Board shall hold two regular meetings each year in the months of January and July on call of the Chairman, or, if the Chairman is unable for any reason to call the meeting, the Vice-chairman or the Treasurer in that order. Special meetings of the Board may be called at any time by the Chairman or any two board members.
- (b) The Chairman shall conduct all meetings; in the absence of the Chairman, the Vice-chairman or the Treasurer in that order shall conduct the meeting.
- (c) The officer who is scheduled to conduct the meeting shall prepare an agenda for the meeting.
- (d) The Board shall set aside time at its regular meetings to hear members of the public who wish to speak to the Board. If time permits, the Board may also allow members of the public to speak at special meetings. Anyone who wishes to speak concerning an item on the agenda shall notify the presiding officer before the meeting is called to order. Anyone who wishes to speak concerning an item that is not otherwise scheduled to be on the agenda shall, at least 72 hours before the meeting, contact the scheduled presiding officer to request that the item be included. The request must include the identity of the maker and the nature of the item and must be in writing unless the maker can show to the satisfaction of the scheduled presiding officer that it was not reasonably possible to provide a written request. Anyone who speaks to the Board at a regular meeting under the provisions of this Paragraph shall be allowed a time period of five minutes, except that the presiding officer may further limit time if several persons have asked to speak. The presiding officer may limit time as needed at special meetings. At any meeting, the presiding officer may require groups to appoint a representative to speak for members of the group on an issue. Although members of the Board may ask specific questions of those speaking, the time allotted pursuant to this Paragraph shall not be used either to debate the relative merits of any proposal or to examine members of the Board.

*History Note: Authority G.S. 88A-5;  
Eff. December 1, 1992;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

#### **21 NCAC 19 .0103 DEFINITIONS**

*History Note: Authority G.S. 88A-6; 88A-12; 88A-13; 88A-18;  
Eff. March 1, 1995;  
Amended Eff. September 1, 2010;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018;  
Repealed Eff. November 1, 2022.*

#### **21 NCAC 19 .0104 ADVERTISING (RECODIFIED TO 21 NCAC 06T .0103 EFF. JANUARY 1, 2023)**

### **SECTION .0200 – APPLICATION PROCEDURES**

- 21 NCAC 19 .0201 FEES (RECODIFIED TO 21 NCAC 06U .0101 EFF. JANUARY 1, 2023)**
- 21 NCAC 19 .0202 APPLICATION FOR LICENSURE (RECODIFIED TO 21 NCAC 06U .0102 EFF. JANUARY 1, 2023)**
- 21 NCAC 19 .0203 APPLICATION FOR RENEWAL, REINSTATEMENT, OR REACTIVATION OF ELECTROLYSIS LICENSE (RECODIFIED TO 21 NCAC 06U .0103 EFF. JANUARY 1, 2023)**
- 21 NCAC 19 .0204 APPLICATION FOR RENEWAL, REINSTATEMENT, OR REACTIVATION OF LASER HAIR PRACTITIONER LICENSE (RECODIFIED TO 21 NCAC 06U .0104 EFF. JANUARY 1, 2023)**
- 21 NCAC 19 .0205 TEMPORARY LICENSE (RECODIFIED TO 21 NCAC 06U .0105 EFF. JANUARY 1, 2023)**

### **SECTION .0300 - ADMINISTRATIVE LAW PROCEDURES**

#### **21 NCAC 19 .0301 PETITIONS FOR RULEMAKING HEARINGS**

(a) Any person may petition the Board to adopt a new rule or to amend or repeal an existing rule by sending a written petition for rulemaking to the Board at the Board's mailing address. The petition must be entitled "Petition for Rulemaking" and must include the following information:

- (1) the name and address of the person submitting the petition;
- (2) a citation to any rule for which an amendment or repeal is requested;
- (3) a draft of any proposed new rule or amended rule;
- (4) an explanation for the request, with any supporting information the petitioner believes is relevant and wishes the Board to consider; and
- (5) an identification of the persons or class of persons most likely to be affected by the proposed action.

(b) The Board shall decide whether to grant or deny the petition and may request additional information. When the Board denies a petition, the notice of denial shall state the reason.

*History Note: Authority G.S. 88A-6; 150B-20; Eff. August 3, 1992; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

#### **21 NCAC 19 .0302 DECLARATORY RULINGS**

(a) All petitions for declaratory rulings shall be in writing and shall be sent to the Board at its mailing address. Each petition shall be entitled "Petition for Declaratory Ruling" and shall include the following information:

- (1) the name and address of the petitioner;
- (2) the statute or rule to which the petition relates;
- (3) a concise statement of the manner in which the petitioner has been or will be injured or adversely affected by the statute or rule;
- (4) if the petitioner wishes to make an oral presentation to the Board on the petition, a statement clearly requesting an opportunity to appear and be heard.

(b) The Board may refuse to issue a declaratory ruling when:

- (1) the petition does not comply with this Rule;
- (2) the Board has previously issued a declaratory ruling on substantially similar facts;
- (3) the Board has previously issued a final agency decision in a contested case on substantially similar facts;
- (4) the facts underlying the request for a declaratory ruling were specifically considered at the time the rule was adopted;
- (5) the subject matter of the petition is involved in pending litigation;
- (6) the Board determines for good cause not listed in this Paragraph that issuance of a declaratory ruling is undesirable.

*History Note: Authority G.S. 88A-6; 150B-4;  
Eff. August 3, 1992;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

**21 NCAC 19 .0303 CONTESTED CASES**

(a) The following rules establishing procedures for contested cases, adopted by the Office of Administrative Hearings and contained in Title 26, Chapter 3 of the North Carolina Administrative Code, are hereby incorporated by reference for contested cases for which the Board has authority to adopt rules under G.S. 150B-38: 26 NCAC 3 .0001(1), .0005, .0006, .0013, .0014, .0015, .0016, .0018, .0019, .0020, .0021. This adoption applies to the listed rules as amended as of November 1, 1991 and does not include subsequent amendments. Copies of these Rules will be made available for inspection by arrangement; anyone wanting to inspect these Rules shall write the Board at its mailing address. Copies of the listed rules may be obtained from the Board at a charge of two dollars and fifty cents (\$2.50) by writing the Board at its mailing address.

(b) For the purposes of this Rule, references in the rules listed in Paragraph (a) of this Rule to the Office of Administrative Hearings shall be deemed to be references to the Board, references to the administrative law judge shall be deemed to be references to the presiding officer for board hearings, reference in 26 NCAC 3 .0005 to G.S. 150B-33 shall be deemed a reference to G.S. 150B-40, and the words "enter a show cause order returnable in Superior Court for contempt proceedings in accordance with G.S. 150B-33(b)(8)" in 26 NCAC 3 .0014 shall be deemed to read, "apply to the Superior Court for an order to show cause in accordance with G.S. 150B-40(c)(6)".

(c) Any person who believes that his or her rights, duties, or privileges have been affected by the Board's administrative action but who has not received a notice of hearing pursuant to G.S. 150B-38 may file a written request for a hearing. The request must be entitled "Request for Administrative Hearing" and must contain the following:

- (1) the name and address of the petitioner;
- (2) a concise statement of the action taken by the Board which is challenged;
- (3) a concise statement of the way in which the petitioner has been aggrieved; and
- (4) a clear and specific statement of request for a hearing.

Without waiving any right to a formal hearing, an individual may first seek to resolve the issue informally with the Board.

(d) The Board may elect either to conduct a hearing itself or to request the designation of an administrative law judge from the Office of Administrative Hearings to preside.

*History Note: Authority G.S. 88A-6; 150B-38;  
Eff. August 3, 1992;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. May 1, 2018.*

**SECTION .0400 – INFECTION CONTROL**

**21 NCAC 19 .0401 INFECTION CONTROL STANDARDS  
21 NCAC 19 .0402 STERILIZATION AND DISINFECTION**

*History Note: Authority G.S. 88A-16;  
Eff. June 1, 1993;  
Repealed Eff. December 1, 2010.*

**21 NCAC 19 .0403 OFFICES (RECODIFIED TO 21 NCAC 06V .0101 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0404 DEFINITIONS AND OVERVIEW (RECODIFIED TO 21 NCAC 06V .0102 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0405 HAND HYGIENE (RECODIFIED TO 21 NCAC 06V .0103 EFF. JANUARY 1, 2023)**

- 21 NCAC 19 .0406 USE OF GLOVES (RECODIFIED TO 21 NCAC 06V .0104 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0407 CLEANING, STERILIZATION, AND SAFETY PRECAUTIONS FOR INSTRUMENTS AND OTHER TREATMENT-RELATED ITEMS (RECODIFIED TO 21 NCAC 06V .0105 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0408 ENVIRONMENTAL CONTROL AND HOUSEKEEPING (RECODIFIED TO 21 NCAC 06V .0106 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0409 CLIENT EVALUATION (RECODIFIED TO 21 NCAC 06V .0107 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0410 NEEDLESTICK SAFETY AND PREVENTION (RECODIFIED TO 21 NCAC 06V .0108 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0411 FOLLOW-UP PROCEDURES FOR EXPOSURES TO HEPATITIS, HUMAN IMMUNODEFICIENCY VIRUS (HIV), AND OTHER BLOOD-BORNE PATHOGENS (RECODIFIED TO 21 NCAC 06V .0109 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0412 STANDARD PRECAUTIONS FOR DISEASE CONTROL AND PREVENTION (RECODIFIED TO 21 NCAC 06V .0110 EFF. JANUARY 1, 2023)

**SECTION .0500 - PHYSICIAN/LASER HAIR PRACTITIONER GUIDELINES**

- 21 NCAC 19 .0501 SUPERVISING PHYSICIAN (RECODIFIED TO 21 NCAC 06W .0101 EFF. JANUARY 1, 2023)

**SECTION .0600 – SCHOOLS**

- 21 NCAC 19 .0601 CURRICULUM (RECODIFIED TO 21 NCAC 06X .0101 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0602 APPLICATION FOR AND RENEWAL OF SCHOOL CERTIFICATION (RECODIFIED TO 21 NCAC 06X .0102 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0603 CERTIFICATIONS NOT TRANSFERABLE (RECODIFIED TO 21 NCAC 06X .0103 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0604 PROGRAM DIRECTORS (RECODIFIED TO 21 NCAC 06X .0104 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0605 ENROLLMENT PROCEDURES (RECODIFIED TO 21 NCAC 06X .0105 EFF. JANUARY 1, 2023)
- 21 NCAC 19 .0606 SCHOOL LOCKERS
- 21 NCAC 19 .0607 SCHOOL BUILDINGS

*History Note: Authority G.S. 88A-6; 88A-19;  
Eff. November 1, 1993;  
Expired Eff. June 1, 2018 pursuant to G.S. 150B-21.3A.*

- 21 NCAC 19 .0608 SCHOOL EQUIPMENT (RECODIFIED TO 21 NCAC 06X .0106 EFF. JANUARY 1, 2023)

**21 NCAC 19 .0609      SCHOOL LIBRARY (RECODIFIED TO 21 NCAC 06X .0107 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0610      RECORD OF ATTENDANCE (RECODIFIED TO 21 NCAC 06X .0108 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0611      IDENTIFICATION OF STUDENTS**

*History Note:*      Authority G.S. 88A-6; 88A-19; 88A-20;  
Eff. November 1, 1993;  
Expired Eff. June 1, 2018 pursuant to G.S. 150B-21.3A.

**21 NCAC 19 .0612      STUDENT PRACTICAL WORK; CREDIT FOR OBSERVING AND SERVING AS A CLIENT (RECODIFIED TO 21 NCAC 06X .0109 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0613      STUDENT/TEACHER RATIO AND EQUIPMENT (RECODIFIED TO 21 NCAC 06X .0110 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0614      SCHOOL HOURS AND SCHEDULE  
21 NCAC 19 .0615      NOTICE TO PUBLIC**

*History Note:*      Authority G.S. 88A-6; 88A-19; 88A-19.1; 88A-20;  
Eff. November 1, 1993;  
Amended Eff. December 1, 2010;  
Expired Eff. June 1, 2018 pursuant to G.S. 150B-21.3A.

**21 NCAC 19 .0616      REMUNERATION PROHIBITED**

*History Note:*      Authority G.S. 88A-6; 88A-19; 88A-20;  
Eff. November 1, 1993;  
Repealed Eff. December 1, 1995.

**21 NCAC 19 .0617      SCHOOL ADVERTISEMENTS  
21 NCAC 19 .0618      PRIVATE PRACTICE IN A SCHOOL BUILDING**

*History Note:*      Authority G.S. 88A-6; 88A-16; 88A-19; 88A-19.1; 88A-20;  
Eff. November 1, 1993;  
Amended Eff. December 1, 2010;  
Expired Eff. June 1, 2018 pursuant to G.S. 150B-21.3A.

**21 NCAC 19 .0619      EQUIPMENT ENDORSEMENTS AND SALES PROHIBITED (RECODIFIED TO 21 NCAC 06X .0111 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0620      REPORT OF STUDENT LEAVING  
21 NCAC 19 .0621      TRANSFER CREDIT**

*History Note:*      Authority G.S. 88A-6; 88A-19; 88A-20;  
Eff. November 1, 1993;  
Expired Eff. June 1, 2018 pursuant to G.S. 150B-21.3A.

**21 NCAC 19 .0622      CERTIFICATION OF SCHOOLS IN OTHER STATES OR JURISDICTIONS (RECODIFIED TO 21 NCAC 06X .0112 EFF. JANUARY 1, 2023)**

**SECTION .0700 - CONTINUING EDUCATION**

**21 NCAC 19 .0701 CONTINUING EDUCATION REQUIREMENTS, LICENSE RENEWAL, REINSTATEMENT AND REACTIVATION (RECODIFIED TO 21 NCAC 06Y .0101 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0702 BOARD APPROVAL OF COURSES (RECODIFIED TO 21 NCAC 06Y .0102 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0703 COMPUTATION OF CONTINUING EDUCATION UNITS (RECODIFIED TO 21 NCAC 06Y .0103 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0704 TIME LIMITS ON CREDIT RECODIFIED TO 21 NCAC 06Y .0104 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0705 APPLICATION FOR APPROVAL OF CONTINUING EDUCATION (RECODIFIED TO 21 NCAC 06Y .0105 EFF. JANUARY 1, 2023)**

**21 NCAC 19 .0706 WAIVER (RECODIFIED TO 21 NCAC 06Y .0106 EFF. JANUARY 1, 2023)**