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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **902**

02/25/2013 Authored by Slocum, Hilstrom, Newton, Abeler, Lillie and others

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act  
1.2 relating to cosmetologists; establishing continuing education requirements;  
1.3 amending Minnesota Statutes 2012, section 155A.27, by adding a subdivision.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2012, section 155A.27, is amended by adding a  
1.6 subdivision to read:

1.7 Subd. 11. **Continuing education requirement; random audit.** (a) Effective  
1.8 August 1, 2014, to qualify for license renewal under this chapter as an individual  
1.9 cosmetologist, nail technician, esthetician, or salon manager, the applicant must attest to  
1.10 the completion of four hours of continuing education credits. One credit hour of the  
1.11 requirement must include instruction pertaining to state laws and rules governing the  
1.12 practice of cosmetology. Three credit hours must include instruction pertaining to health,  
1.13 safety, and sanitation matters consistent with the United States Department of Labor's  
1.14 Occupational Safety and Health Administration standards applicable to the practice of  
1.15 cosmetology, or other applicable federal health, sanitation, and safety standards, and  
1.16 must be regularly updated so as to incorporate newly developed standards and accepted  
1.17 professional best practices. Credit hours earned are valid for three years and may be  
1.18 applied simultaneously to all individual licenses held by a licensee under this chapter.

1.19 (b) The board shall conduct random audits of active licensees periodically to ensure  
1.20 compliance with continuing education requirements.

1.21 (c) Only an accredited school or a professional association of cosmetology may  
1.22 offer continuing education curriculum for credit under this subdivision. The school or  
1.23 professional association shall retain documentation of all licensees successfully completing  
1.24 a class and the licensee's credit hours for five years. The school or professional association

2.1 shall furnish verification within 15 days of the board's request of a licensee's credit hours  
2.2 earned. The school or professional association shall provide to licensees who attend a  
2.3 class a receipt to prove completion of the class. The school or professional association  
2.4 may offer online and independent study options to achieve maximum involvement of  
2.5 licensees and is encouraged to offer classes available in foreign language formats.

2.6 (d) Licensees shall retain proof of their continuing education credits for one year  
2.7 beyond the credit's expiration and provide this proof if requested during a random audit  
2.8 conducted by the board. A licensee's failure to furnish proof within 30 days to the board  
2.9 may render the license expired and may deem the individual a lapsed practitioner subject  
2.10 to penalty under section 155A.25.

2.11 (e) Licensees subject to a request for documentation by the board may seek an  
2.12 exemption of the continuing education requirement under this subdivision for their current  
2.13 license within the 30 days allowed for response, if they can demonstrate a hardship  
2.14 based on a disability, age, illness, or other circumstances the board may determine on a  
2.15 case-by-case basis. Licensees who seek an exemption from the continuing education  
2.16 requirement under this subdivision shall provide a sworn statement describing the facts  
2.17 supporting the exemption.

2.18 **Sec. 2. REVISOR'S INSTRUCTION.**

2.19 The revisor of statutes shall replace the term "manicurist" with the term "nail  
2.20 technician" wherever it appears in Minnesota Statutes and Minnesota Rules.