



VIRTUAL/TELECONFERENCE
COSMETOLOGY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Will Johnson (608) 266-2112
March 25, 2024

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:30 AM

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of January 22, 2024 (4-8)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff, and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Beckett, Dutch W.V. – 7/1/2027
 - b. Blake, Melissa K. – 7/1/2024
 - c. Cwojdzinski, Kayla M. – 7/1/2024
 - d. Hoepfner, Ann M. – 7/1/2027
 - e. Jackson, Megan A. – 7/1/2027
 - f. McIntosh, Dana – 7/1/2027
 - g. Watkins, Alexis – 7/1/2027
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (9-16)**
 - 1) Consideration of Board Approval of a Scope Statement on Cos 1, 2, 3, and 4 Relating to Mobile Establishments **(10-11)**
 - 2) Drafting Proposals: Cos 1, 2, 5, and 6, Relating to Scope of Practice and Education **(12-16)**
 - 3) Pending and Possible Rulemaking Project
- H. Deliberation on Items Added After Preparation of Agenda
 - 1) Introductions, Announcements and Recognition
 - 2) Election of Officers, Appointment of Liaison(s), Delegation of Authorities
 - 3) Administrative Matters

- 4) Education and Examination Matters
- 5) Credentialing Matters
- 6) Practice Matters
- 7) Legislative and Policy Matters
- 8) Administrative Rule Matters
- 9) Liaison Reports
- 10) Public Health Emergencies
- 11) Board Liaison Training and Appointment of Mentors
- 12) Informational Items
- 13) Division of Legal Services and Compliance (DLSC) Matters
- 14) Presentations of Petitions for Summary Suspension
- 15) Petitions for Designation of Hearing Examiner
- 16) Presentation of Stipulations, Final Decisions and Orders
- 17) Presentation of Stipulations and Interim Orders
- 18) Presentation of Proposed Final Decision and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagement(s), Travel, or Public Relation Request(s)

I. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

J. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

- 1) **Case Closings**
 - a) 23 BAC 084 – B.N.S. and D.D. (17-21)

K. Deliberation on Proposed Final Decision and Order of Default

- 1) 23 BAC 028 – Angie Sheehan and Teased (22-27)

L. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspension
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decision(s) and Order(s)
- 9) Proposed Final Decision(s) and Order(s) of Default
- 10) Proposed Interim Orders
- 11) Administrative Warnings

- 12) Review of Administrative Warnings
- 13) Proposed Final Decisions and Orders
- 14) Orders Fixing Costs/Matters Related to Costs
- 15) Case Closings
- 16) Board Liaison Training
- 17) Petitions for Assessments and Evaluations
- 18) Petitions to Vacate Orders
- 19) Remedial Education Cases
- 20) Motions
- 21) Petitions for Re-hearings
- 22) Appearances from Requests Received or Renewed

M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

N. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

O. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: JUNE 10, 2024

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
COSMETOLOGY EXAMINING BOARD
MEETING MINUTES
JANUARY 22, 2024**

PRESENT: Dutch Beckett, Melissa Blake, Kayla Cwojdzinski, Ann Hoepner, Megan Jackson, Dana McIntosh, Alexis Watkins

STAFF: Will Johnson, Executive Director; Joseph Ricker, Legal Counsel; Nilajah Hardin, Administrative Rule Coordinator; Brenda Taylor, Board Services Supervisor; and other Department staff.

CALL TO ORDER

Megan Jackson, Chairperson, called the meeting to order at 9:31 a.m. A quorum was confirmed with seven (7) members present.

ADOPTION OF AGENDA

MOTION: Ann Hoepner moved, seconded by Melissa Blake, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF AUGUST 28, 2023

MOTION: Kayla Cwojdzinski moved, seconded by Ann Hoepner, to approve the Minutes of August 28, 2023, as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Elections, Appointment of Liaisons and Alternates, Delegation of Authorities

Slate of Officers

NOMINATION: Ann Hoepner nominated the 2023 slate of officers to continue in 2024. All officers accepted their nominations.

Will Johnson, Executive Director, called for nominations three (3) times.

The Slate of Officers was elected by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Megan Jackson
Vice Chairperson	Kayla Cwojdzinski
Secretary	Ann Hoepner

Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	Kayla Cwojdzinski <i>Alternate: Dutch Beckett</i>
Monitoring Liaison(s)	Dutch Beckett <i>Alternate: Dana McIntosh</i>
Professional Assistance Procedure (PAP) Liaison(s)	Kayla Cwojdzinski <i>Alternate: Alexis Watkins</i>
Education and Examinations Liaison(s)	Megan Jackson <i>Alternate: Melissa Blake</i>
Legislative Liaison(s)	Alexis Watkins <i>Alternate: Ann Hoepner</i>
Digest Liaison(s)	Melissa Blake <i>Alternate: Dana McIntosh</i>
Travel Authorization Liaison(s)	Dutch Beckett <i>Alternate: Melissa Blake</i>
Screening Panel	Ann Hoepner, Kayla Cwojdzinski, Melissa Blake, Alexis Watkins <i>Alternate: Megan Jackson</i>

Delegation of Authorities

Review and Approval of 2023 Delegations

MOTION: Kayla Cwojdzinski moved, seconded by Melissa Blake, to reaffirm all delegation motions from 2023 as reflected in the agenda materials. Motion carried unanimously.

Document Signature Delegations

MOTION: Ann Hoepner moved, seconded by Dutch Beckett, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director, Board Counsel or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to delegate the review and authority to act on disciplinary cases to DSPS Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Delegation to Chief Legal Counsel for Citation Approval

MOTION: Ann Hoepfner moved, seconded by Melissa Blake, to delegate authority to DSPS Chief Legal Counsel or designee to make the final decision and approve citations. Motion carried unanimously.

Pre-Screening Delegation

MOTION: Ann Hoepfner moved, seconded by Dutch Beckett, to delegate to the screening attorney the authority to immediately open cases that consist solely of any one of the following, or combination of the following: practice by an individual holding an expired license issued by the Board, practice by an establishment without an establishment license issued by the Board or with an expired establishment license, and safety and sanitary violations that on their face warrant an inspection of an establishment. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: Ann Hoepfner moved, seconded by Dana McIntosh, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the January 22, 2024 agenda materials. Motion carried unanimously.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION: Ann Hoepfner moved, seconded by Megan Jackson, to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues. Motion carried unanimously.

Digest Liaison Delegation

MOTION: Kayla Cwojdzinski moved, seconded by Ann Hoepfner, to delegate authority to the Digest Liaison(s) to handle all matters relating to the Cosmetology Digest. Motion carried unanimously.

CLOSED SESSION

MOTION: Dutch moved, seconded by Kayla, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss. 19.85(1)(b), Stats.

and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Megan Jackson, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Dutch Beckett-yes; Melissa Blake-yes; Kayla Cwojdzinski-yes; Ann Hoepfner-yes; Megan Jackson-yes; Dana McIntosh-yes; and Alexis Watkins-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:10 a.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

MOTION: Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings of the following cases:
20 BAC 008 & 22 BAC 007 – Zacoia Green
22 BAC 029 – Gloria Casper
Motion carried unanimously.

Administrative Warning

22 BAC 029 – T.S.B.I.I.J.

MOTION: Megan Jackson moved, seconded by Ann Hoepfner, to affirm the issuance of the administrative warning in the matter of T.S.B.I.I.J., DLSC Case Number 22 BAC 029. Motion carried unanimously.

Case Closings

MOTION: Ann Hoepfner moved, seconded by Dutch Beckett, to close the following DLSC Cases for the reasons outlined below:
21 BAC 002 – GNS LN – Insufficient Evidence
22 BAC 029 – M.U. – No Violation
22 BAC 053 – T.L. – Insufficient Evidence
Motion carried unanimously.

Monitoring

Katrina Kendhammer – Requesting Full Licensure

MOTION: Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to grant the request of Katrina Kendhammer for full licensure. Motion carried unanimously.

Proposed Citations for Administrative Forfeiture

MOTION: Ann Hoepfner moved, seconded by Dana McIntosh, to delegate Al Rohmeyer, DSPS Chief Legal Counsel, the authority to preside over and the final decision-making authority to resolve DLSC Case Numbers 20BAC045, 22BAC001, 22BAC005, 22BAC024, 22BAC033, 22BAC053, 23BAC015, 23BAC035, 23BAC040, 23BAC049, 23BAC076. Motion carried unanimously.

DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS

Latreece A. Tolley, Respondent (DHA Case Number SPS-23-0060/DLSC Case Number 23 BAC 018)

MOTION: Ann Hoepfner moved, seconded by Dutch Beckett, to adopt the Findings of Fact, Conclusions of Law, and Proposed Decision and Order in the matter of disciplinary proceedings against Latreece A. Tolley, Respondent – DHA Case Number SPS-23-0060/DLSC Case Number 23 BAC 018 including revisions to remove references to the Wisconsin Barbering Advisory Committee and corrected to the Wisconsin Cosmetology Examining Board. Motion carried unanimously.

(Kayla Cwojdzinski recused herself and left the room for deliberation and voting in the matter concerning Latreece A. Tolley, Respondent – DHA Case Number SPS-23-0060/DLSC Case Number 23 BAC 018.)

RECONVENE TO OPEN SESSION

MOTION: Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 11:41 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:45 a.m.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Jake Pelegrin Administrative Rules Coordinator		2) Date when request submitted: 3/12/24 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Cosmetology Examining Board			
4) Meeting Date: 3/25/24	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Consideration of Board Approval of a Scope Statement on Cos 1, 2, 3, and 4 Relating to Mobile Establishments 2. Drafting Proposals: Cos 1, 2, 5, and 6, Relating to Scope of Practice and Education. 3. Pending or possible rulemaking projects.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: -Proposed Scope Statement on Cos 1, 2, 3, and 4 Relating to Mobile Establishments -The current code chapter Cos 5 -For reference, the implemented scope on Cos 1, 2, 5, and 6, Relating to Scope of Practice and Education.			
11) <i>Jake Pelegrin</i>		Authorization 3/12/24	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

STATEMENT OF SCOPE

COSMETOLOGY EXAMINING BOARD

Rule No.: Chapters Cos 1, 2, 3, and 4

Relating to: Mobile Establishments

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to review requirements relating to cosmetology establishments and consider updating the rules to clarify how those requirements apply to mobile establishments.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Wisconsin Administrative Code Chapter Cos 3 covers requirements for cosmetology establishments. The rules are currently unclear whether mobile establishments are allowed. The Board has identified the need for a code update to clarify how those requirements apply to mobile establishments.

The alternative to making these updates is that it will remain unclear to regulators and to those in the profession whether mobile establishments are allowed.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., states that “[each examining board] [s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

Section 227.11 (2) (a), Stats., states that an agency, “may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 454.08 (1) (ag) 1., Stats.: “The examining board shall promulgate rules permitting the practice of electrology outside of a licensed establishment.”

Section 454.08 (1) (ag) 2., Stats.: “The examining board shall promulgate rules permitting the use of a chemical process in the practice of cosmetology, aesthetics, or manicuring outside of a licensed establishment, except that the examining board may not promulgate any rule that restricts the use of a chemical process in cutting or styling hair in the practice of cosmetology or applying cosmetics, oils, lotions, clay, creams, antiseptics, powders, or tonics in the practice of aesthetics.”

Section 454.08 (4), Stats., states that “[t]he examining board shall, by rule, establish minimum standards concerning the maintenance, equipment, plans, and specifications for licensed establishments as they relate to the public health and safety.”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours

6. List with description of all entities that may be affected by the proposed rule:

Individuals and entities who hold cosmetology, aesthetics, manicuring, and electrology practitioner and establishment credentials, or are seeking such a credential.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None to minimal. The rule is not likely to have a significant economic impact on small businesses.

Contact Person: Jake Pelegrin, Administrative Rule Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-0989.

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Submitted

Date Submitted

Chapter Cos 5

COURSES OF INSTRUCTION

Cos 5.001 Instruction.
 Cos 5.01 Courses.
 Cos 5.015 Persons providing practical instruction in schools and specialty schools.

Cos 5.02 Practitioner license syllabus.
 Cos 5.04 Aestheticians license syllabus.
 Cos 5.05 Electrologist license syllabus.
 Cos 5.06 Manicurist license syllabus.

Note: Chapter BC 5 was renumbered ch. Cos 5 under s. 13.92 (4) (b) 1., Stats., Register February 2013 No. 686.

Note: See Chapter SPS 50 for rules governing the licensing of barbers, barbering managers, and barbering establishments.

Cos 5.001 Instruction. An applicant for licensure as a cosmetologist, aesthetician, electrologist, or manicurist may receive instruction in a school of cosmetology licensed under s. 440.62 (3) (ar), Stats., exempted under s. 440.61, Stats., or accredited by any of the following:

(1) National Accrediting Commission of Career Arts & Sciences (NACCAS).

(2) Accrediting Commission of Career Schools and Colleges (ACCSC).

(3) Council on Occupational Education (COE).

(4) National Interstate Council of State Boards of Cosmetology (NIC).

(5) Any other accrediting agency relating to cosmetology that is recognized by the U.S. Department of Education.

History: CR 15-020: cr. Register July 2015 No. 715, eff. 8-1-15; CR 18-002: am. (intro.) Register April 2018 No. 748, eff. 5-1-18.

Cos 5.01 Courses. (1) Schools that provide instruction to students for cosmetology practitioner, or specialty schools that provide instruction to students for aesthetician, electrologist, or manicurist licenses shall develop curricula for instruction that are based on the appropriate syllabus as approved by the board in this chapter.

(2) A school or specialty school shall offer at a minimum the practical and theory hours listed for subjects in the appropriate syllabus included in this section chapter.

(3) Courses may be offered to students remotely as deemed appropriate by the school and as approved by the board.

(4) Simulated patrons, such as mannequins, may be used for practical training as deemed appropriate by the board.

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; renumber (1) to be Cos 5.01 under s. 13.92 (4) (b) 1., Stats., and correction made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; EmR1502: emerg. am., eff. 1-15-15; CR 15-020: am. Register July 2015 No. 715, eff. 8-1-15; CR 18-002: am. Register April 2018 No. 748, eff. 5-1-18; CR 22-085: r. and recr. Register October 2023 No. 814, eff. 11-1-23.

Cos 5.015 Persons providing practical instruction in schools and specialty schools. No person may use the title, "Wisconsin certified cosmetologist, aesthetician, electrologist, or manicurist instructor," or use any title that implies the person is a Wisconsin certified instructor, or represents the person to be a Wisconsin certified instructor under this chapter unless the person holds a current license in cosmetology, aesthetics, electrology, or manicuring and meets the requirements under s. 440.63 (3), Stats.

History: CR 20-025: Register July 2021 No. 787, eff. 8-1-21.

Cos 5.02 Practitioner license syllabus. A syllabus for the practitioner license is shown below in Figure 5.02:

FIGURE 5.02

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Hygiene, grooming and personal development.	10	0
II.	Bacteriology, sterilization and sanitation.	20	20
III.	Haircutting, hair tapering (clipper-cuts), razor cutting, hairstyling, curling, thermal waving, finger-waving, roller setting, pincurl placement, blow-drying, shampoos, scalp and hair treatments, conditioning, reconditioning, hair analysis, and care of hairpieces, wigs and wefts. Tools, equipment and implements (identification and usage).	140	440
IV.	Hair straightening, hair relaxing, thermal hair straightening, blow-outs, permanents, hair coloring, tinting, bleaching and chemistry. Tools, equipment and implements (identification and usage).	185	392
V.	Shaving, beard and mustache shaping, trimming, superfluous hair removal, waxing, facials, facial massages, facial makeup, eyelashes, light therapy, basic principles of electricity, and introduction to electrology. Tools, equipment and implements (identification and usage).	35	60

VI.	Manicuring, including nail enhancement. Tools, equipment and implements (identification and usage).	10	25
VII.	Anatomy and physiology of the hair, skin and nails and disorders of the hair, skin, scalp and nails.	50	0
VII.	Product knowledge, product use and sales, preparing and consulting with customer for services.	30	0
IX.	Laws, rules, professional ethics and history of cosmetology.	18	0
X.	Individual student needs, industry trends and electives (e.g. recordkeeping, mathematics, communications, human relations, public relations, first aid, etc.) (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology establishments.)	40	75
TOTAL HOURS:		538	1012

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, July, 1994, No. 463, eff. 8-1-94; am., Register, May, 1999, No. 521, eff. 6-1-99; am. Register, September, 2000, No. 537, eff. 10-1-00; CR 05-118: am. Register November 2006 No. 611, eff. 12-1-06; correction in Figure 5.02 made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; EmR1502: emerg. r. and recr., eff. 1-15-15; CR 15-020: r. and recr. Figure 5.02 Register July 2015 No. 715, eff. 8-1-15.

Cos 5.04 Aestheticians license syllabus. A syllabus for the aestheticians license is shown below in Figure 5.04:

FIGURE 5.04

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction		
	Law and Code, Bookkeeping, Business Management, History, and Ethics	26	
II.	Safety, Sanitation and Sterilization	30	20
III.	Anatomy and Physiology	30	
IV.	Chemistry, Treatments and Process	24	
V.	Treatment-Product and Techniques	32	96

VI.	Electricity, Machines and Equipment	10	35
VII.	Make-up and Color Analysis	12	20
VIII.	Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology or aesthetics establishments.)	65	50
TOTAL HOURS:		229	221

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, September, 2000, No. 537, eff. 10-1-00; correction in Figure 5.04 made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

Cos 5.05 Electrologist license syllabus. A syllabus for the electrologist license is shown below in Figure 5.05:

FIGURE 5.05

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction		
	Law and Code, Bookkeeping, Business Management, History and Ethics	30	
II.	Basic Principles of Electricity and Equipment Usage	20	20
III.	Anatomy, Physiology and Microbiology	20	
IV.	Safety, Sanitation and Sterilization	30	20
V.	Modalities of Electrology	20	50
VI.	Electrology Techniques and Variables	20	50
VII.	Clinical Practice:		
	Consultation, Evaluation, Complications, Contraindications, Positioning and Draping, Lighting and Optics, and Epilatic Techniques	40	60
VIII.	Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more electrology establishments.)	30	40
TOTAL HOURS:		210	240

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, September, 2000, No. 537, eff. 10-1-00.

Cos 5.06 Manicurist license syllabus. A syllabus for the manicurist license is shown below in Figure 5.06:

FIGURE 5.06

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction		
	Law and Codes, Book-keeping, Business Management, History and Ethics	36	
II.	Safety, Sanitation, Sterilization, First Aid and Bacteriology	10	25
III.	Nails and Skin Disorders	24	10
IV.	Anatomy and Physiology	18	8

V.	Manicuring and Pedicuring, including nail enhancement	24	112
VI.	Introduction to Advertising	12	
VII.	Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology or manicuring establishments.)	7	14
TOTAL HOURS:		131	169

History: Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, July, 1994, No. 463, eff. 8-1-94; am. Register, September, 2000, No. 537, eff. 10-1-00; CR 05-118; am. Register November 2006 No. 611, eff. 12-1-06; correction in Figure 5.06 made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

STATEMENT OF SCOPE

COSMETOLOGY EXAMINING BOARD

Rule No.: Chapters Cos 1, 2, 5, and 6

Relating to: Scope of Practice and Education

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is for the Board to review the requirements relating to education in Wisconsin Administrative Code Chapters Cos 1, 2, 5 and 6 and conduct a comprehensive review on courses of instruction.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Wisconsin Administrative Code Chapters Cos 1, 2, 5 and 6 cover requirements for professional and personal conduct, courses of instruction, and apprenticeship procedures and standards, respectively. The Board has identified the need for a comprehensive evaluation of these rules to ensure that they are clear, consistent with current professional and academic practices and standards, and that they comply with applicable Wisconsin statutes.

The alternative to making these updates is that license and education requirements will continue to be inconsistently interpreted by those currently within and interested in entering the profession.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., states that “[each examining board] [s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

Section 227.11 (2) (a), Stats., states that an agency, “may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 440.62 (5) (b) 1., Stats., states that “[t]he cosmetology examining board shall promulgate rules prescribing the subjects required to be included in courses of instruction at schools of cosmetology and specialty schools and establishing minimum standards for courses of instruction and instructional materials and equipment at schools of cosmetology and specialty schools.”

Section 454.075, Stats., states that “[t]he examining board shall identify by rule the accrediting agencies it approves to accredit schools for the purpose of satisfying educational requirements for an initial license or a license renewal under this subchapter.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours

6. List with description of all entities that may be affected by the proposed rule:

Wisconsin licensed cosmetologists and aestheticians, sponsors and providers of initial and continuing education related to credentials issued by the Cosmetology Examining Board, and those looking to enter those professions.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None to minimal. The rule is not likely to have a significant economic impact on small businesses.

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Approved for publication:

Approved for implementation:



Authorized Signature



Authorized Signature

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