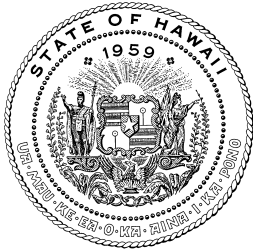


**Small Business Regulatory Review Board Meeting**

**March 10, 2022**

**10:00 a.m.**



## SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism (DBEDT)  
No. 1 Capitol District Building, 250 S. Hotel Street, Fifth Floor, Honolulu, HI 96813  
Mailing Address: P.O. Box 2359, Honolulu, HI 96804  
Email: [dbedt.sbrrb.info@hawaii.gov](mailto:dbedt.sbrrb.info@hawaii.gov)  
Website: [sbrrb.hawaii.gov](http://sbrrb.hawaii.gov)

Tel: 808 798-0737

### AGENDA

**Thursday, March 10, 2022 ★ 10:00 a.m.  
Honolulu, HI 96813**

**David Y. Ige**  
*Governor*

**Mike McCartney**  
*DBEDT Director*

#### Members

**Robert Cundiff**  
*Chairperson*  
*O'ahu*

**Mary Albitz**  
*Vice Chairperson*  
*Maui*

**Jonathan Shick**  
*2nd Vice Chairperson*  
*O'ahu*

**Dr. Nancy Atmospera-Walch**  
*O'ahu*

**William Lydgate**  
*Kaua'i*

**James (Kimo) Lee**  
*Hawai'i*

**Garth Yamanaka**  
*Hawai'i*

**Taryn Rodighiero**  
*Kaua'i*

**Mark Ritchie** for  
Director, DBEDT  
*Voting Ex Officio*

As authorized under Act 220, Session Laws of Hawaii 2021, Section 92-3.7, Hawaii Revised Statutes (HRS), and the Governor's January 27, 2022 Emergency Proclamation Related to COVID-19 (Omicron Variant), the meetings will be held remotely with Board Members, Staff, and Agencies participating via online meeting venue. The public can participate in the meeting via video-audio livestream, or telephonically; to join the meeting go to:

<https://us06web.zoom.us/j/88945374966?pwd=cDhqWEEzZGZHYmJLM05tMHU5Mm5HQQT09>

or

Dial 1-669-900-6833 with Meeting ID 889 4537 4966

When the Chairperson asks for public testimony during the meeting, you may indicate that you want to provide oral testimony by using the raise hand function or, if calling in by telephone, entering \* and 9 on your phone keypad. When recognized by the Chairperson, you will be unmuted. If calling in by phone, you can unmute and mute yourself by pressing \* and 6 on your keypad.

Members of the public may submit written testimony via e-mail to: [DBEDT.sbrrb.info@hawaii.gov](mailto:DBEDT.sbrrb.info@hawaii.gov) or mailed to SBRRB, No. 1 Capitol District Building, 250 S. Hotel Street, Room 506A, Honolulu, HI 96813, or P.O. Box 2359, Honolulu, HI 96804. All written testimony should be received no later than 4:30 p.m., Wednesday, March 9, 2022.

Copies of the Board Packet will be available on-line for review at: [Agendas & Minutes – Small Business Regulatory Review Board \(hawaii.gov\)](http://Agendas%20%26%20Minutes%20-%20Small%20Business%20Regulatory%20Review%20Board%20(hawaii.gov)). An electronic draft of the minutes for this meeting will also be made available at the same location when completed.

The Board may go into Executive Session under Section 92-5 (a)(4), HRS to Consult with the Board's Attorney on Questions and Issues Concerning the Board's Powers, Duties, Immunities, Privileges and Liabilities.

#### **I. Call to Order**

#### **II. Approval of February 17, 2022 Meeting Minutes**

**III. Old Business – After Public Hearing**

- A. Discussion and Action on Proposed Amendments and the Small Business Statement After Public Hearing for Hawaii Administrative Rules (HAR) Title 16 Chapter 73, **Barbers**, promulgated by Department of Commerce and Consumer Affairs (DCCA) – **Discussion Leader – Nancy Atmospera-Walch**
- B. Discussion and Action on Proposed Amendments and the Small Business Statement After Public Hearing for HAR Title 16 Chapter 78, **Cosmetology**, promulgated by DCCA – Discussion Leader – **Nancy Atmospera-Walch**

**IV. Administrative Matters**

- A. Update on the Status of the Board’s Proposed Phase II Website Project
- B. Update on the Board’s Upcoming Advocacy Activities and Programs in accordance with the Board’s Powers under Section 201M-5, Hawaii Administrative Rules

**V. Legislative Matters**

- A. Discussion and Action on Governor’s Message 726, Submitting for Consideration and Confirmation for the Gubernatorial Nomination of Mr. Sanford Morioka to the Small Business Regulatory Review Board for a term to expire June 30, 2023

**VI. Next Meeting:** Thursday, April 21, 2022 at 10:00 a.m.

**VII. Adjournment**

If you require special assistance or auxiliary aid and/or services to participate in the public hearing process, please call (808) 798-0737 or email [dbedt.sbrrb.info@hawaii.gov](mailto:dbedt.sbrrb.info@hawaii.gov) at least three (3) business days prior to the meeting so arrangements can be made.

## **II. Approval of February 17, 2022 Meeting Minutes**



## Small Business Regulatory Review Board

### MEETING MINUTES - DRAFT

February 17, 2022

- I. **CALL TO ORDER:** Chair Cundiff called the meeting to order at 10:05 a.m., with a quorum present, which was open to the public.

**MEMBERS PRESENT:**

- Robert Cundiff, Chair
- Mary Albitz, Vice Chair
- Jonathan Shick, 2<sup>nd</sup> Vice Chair
- Garth Yamanaka
- William Lydgate
- James (Kimo) Lee
- Taryn Rodighiero
- Mark Ritchie

**ABSENT MEMBERS:**

- Dr. Nancy Atmospera-Walch

**STAFF:** DBEDT

Dori Palcovich  
Jet'aime Ariola

Office of the Attorney General

Alison Kato

II. **APPROVAL OF January 20, 2022 MINUTES**

Vice Chair Albitz motioned to accept the January 20, 2022 meeting minutes, as presented. Second Vice Chair Shick seconded the motion, and the Board members unanimously agreed.

III. **NEW BUSINESS** – Before Public Hearing

- A. Discussion and Action on Proposed New Hawaii Administrative Rules (HAR) to Title 12 Chapter 43, Rules of Practice and Procedure Before the Hawaii Labor Relations Board, promulgated by Hawaii Labor Relations Board, Department of Labor and Industrial Relations (DLIR)

Discussion leader and Vice Chair Albitz explained that the Hawaii Labor Relations Board (HLRB) is submitting proposed Chapter 43 which streamlines the practice and procedures that are currently in Chapters 41 and 42. There does not appear to be anything that adversely impacts small business; in fact, small businesses will benefit from the procedures such as the self-representing processes.

Mr. Marcus Oshiro, Chairperson of HLRB introduced some of his HLRB colleagues in the event specific information may be asked by this Board. He explained the background of HLRB and that it is administratively attached and operates independently from DLIR and the executive and legislative branches.

HLRB is a quasi-judicial three-member body and functions as an appellate board; the HLRB adjudicates complaints between public employers, unions and employees involving prohibited practices. The current rules in chapter 41 and 42 have not been amended since 1981 and 1983, respectively.

In 2002, the Hawaii legislature transferred cases from Hawaii Occupational, Safety and Health (HIOSH) under Chapter 396 from the Labor and Industrial Appeals Board to HLRB; however, the legislature did not direct the promulgation of any rules. Since that time, HLRB has reviewed hundreds of HIOSH cases under the existing Chapters 41 and 42. Thus, the main purpose of proposed Chapter 43 is to streamline the procedure of contested case hearings in front of HLRB by incorporating Chapters 41 and 42 which has been an on-going process over the past several years.

Mr. Oshiro also explained that there is no apparent small business impact based on the proposed rules nor are there any imposed fees or indirect costs that would impact small businesses.

Vice Chair Albitz noted that she was impressed with HLRB's stakeholder outreach efforts where numerous organizations were contacted. Chair Cundiff echoed Vice Chair Albitz's comments and commended Mr. Oshiro's due diligence for attending prior meetings of this Board as well as the level of outreach into the community to the stakeholders for input, which was very extensive. These actions clearly allow for much a smoother and easier process.

In response to Mr. Ritchie's question regarding the expressed positive impact on small businesses, HLRB member Ms. Sesnita Moepono, explained that HLRB created an electronic filing system in the proposed rules that come before HLRB, which is free to all the parties. The system allows individuals, attorneys and small businesses to maneuver a file on-line anywhere in the world and retrieve all of the filings connected to the initial filing anywhere in the world as long as Internet is service accessible.

In addition, Ms. Moepono, explained that all the processes for the self-contested case hearings were combined into one chapter; this process has proven to be easier to refer to one set of rules rather than two separate chapters.

Vice Chair Albitz motioned to send the proposed new chapter to public hearing. Mr. Ritchie seconded the motion, and the Board members unanimously agreed.

#### **IV. ADMINISTRATIVE MATTERS**

##### **A. Update on the Board's Proposed Phase II Website Project**

##### **B. Update on the Board's Upcoming Advocacy Activities and Programs in accordance with the Board's Powers under Section 201M-5, HRS**

## **V. LEGISLATIVE MATTERS**

- A. Discussion and Action on the Upcoming Governor's Message Submitted for Consideration for the Gubernatorial Nomination of William Lydgate to the Small Business Regulatory Review Board to expire June 30, 2026

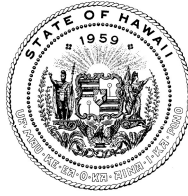
Vice Chair Albitz motioned to nominate and provide testimony in support of Mr. Lydgate's nomination to the Small Business Regulatory Review Board. Second Vice Chair Shick seconded the motion, and the Board members unanimously agreed.

- VI. NEXT MEETING** - Thursday, March 10, 2022 at 10:00 a.m.

- VII. ADJOURNMENT** – Vice Chair Albitz made a motion to adjourn the meeting and Second Vice Chair Shick seconded the motion; the meeting adjourned at 10:40 a.m.

### **III. Old Business – After Public Hearing**

A. Discussion and Action on Proposed  
Amendments and the Small Business  
Statement After Public Hearing for HAR  
Title 16 Chapter 73, **Barbers**, promulgated  
by DCCA



DAVID Y. IGE  
GOVERNOR

JOSH GREEN  
LIEUTENANT GOVERNOR

**STATE OF HAWAII**  
**OFFICE OF THE DIRECTOR**  
**DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**  
335 MERCHANT STREET, ROOM 310  
P.O. BOX 541  
HONOLULU, HAWAII 96809  
Phone Number: 586-2850  
Fax Number: 586-2856  
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN  
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

February 18, 2022

**MEMORANDUM**

**TO:** The Honorable David Y. Ige  
Governor

**FROM:** Catherine P. Awakuni-Colón, Director  
Department of Commerce and Consumer Affairs

**SUBJECT:** Proposed Amendments to the Rules of the Board of Barbering and Cosmetology

On October 25, 2021, preliminary approval was requested through the Hawaii Administrative Rules Processing Site (HARPS) to hold a public hearing on the above subject matter and preliminary approval was granted to proceed to public hearing.

The Notice of Public Hearing was published on October 29, 2021, in the Garden Island, Maui News, West Hawaii Today, Hawaii Tribune-Herald, and Honolulu Star Advertiser Bulletin Newspapers; and posted on the website of the Department of Commerce and Consumer Affairs: <http://cca.hawaii.gov/proposed-rulemaking/>

On November 30, 2021, at 12:00 p.m., the public hearing was held via Virtual Videoconference, Zoom Webinar link: <https://dcca-hawaii-gov.zoom.us/j/95324483407>

The Board of Barbering and Cosmetology ("Board") proposes to repeal Hawaii Administrative Rules ("HAR") sections 16-73-56 and 16-78-76, rules relating to medical clearance.

The proposed amendment eliminates the mandatory requirement for all instructor-trainees, students, apprentices, applicants for examination and licensure, and all licensed individuals under the Board of Barbering and Cosmetology (approximately 11,769 individual licensees which includes barbers, beauty operators, and beauty instructors) to obtain and provide medical clearance certificate from a physician attesting that the individual is free from disease upon the department of health declaring an emergency or epidemic concerning one or more contagious or infectious disease or diseases.

HAR sections 16-73-56 and 16-78-76 were suspended since the Eighth Supplementary Proclamation Related to the Covid-19 Emergency issued on May 18, 2020, until the Twenty-First Proclamation Related to the Covid-19 Emergency expired on August 6, 2021, due to its anticipated administrative impact on the medical profession, industry licensees, and Board staff.

The Governor adopted emergency rules on August 6, 2021, to repeal HAR sections 16-73-56 and 16-78-76 for 120 days to ensure that medical professionals may focus on providing critical care to patients during the COVID-19 pandemic and be alleviated from the significant administrative burden of providing medical clearance certificate. Hawaii Revised Statutes sections 438-8.5 and 439-12.5 continues to provide the Board authority, at its discretion, to request or require medical clearance tests from its licensees.

The Board did not receive any written testimony prior to the hearing.

One (1) oral testimony in support of the proposed amendments was provided by Arlene Estrella, BEO-20977, at the public hearing.

The Board did not receive any testimony opposing the proposed amendments.

The Board believes the amendments will eliminate the mandatory requirement for applicants and licensees to obtain a medical clearance certificate and allow medical professionals to focus on providing critical care during an emergency or pandemic. The Board also noted that there are government agencies that have experts in public health and they would be more appropriate to determine whether a medical clearance certificate should be required to protect public health.

Subsequently, at the November 30, 2021 meeting of the Board of Barbering and Cosmetology, the Board approved the proposed rules as is and approved its submittal to the Governor for final approval.

The following changes were made in the final rule:  
The 1993 Exhibits A-D were compiled with Chapter 73  
The 1988 Exhibits A-D and the 2015 rule amendment that amended sections without compilation were compiled with Chapter 78  
The authorizing and implemented statutes were updated in Chapter 78.

The "Small Business Statement After Public Hearing" is attached and it will be concurrently submitted to the Small Business Regulatory Review Board.

The Department of the Attorney General has approved the proposed rules as to form.

We, therefore, respectfully request your final approval for adoption of the rules. I am attaching three original copies of the proposed rules in the clean format, and one original copy of the proposed rules in Ramseyer format for your final approval.

Sincerely,



CATHERINE P. AWAKUNI COLÓN  
DIRECTOR

CPAC:JMY/la

cc: Small Business Regulatory Review Board

Enclosure: Small Business Statement After Public Hearing for Chapter 73 and Chapter 78

**SMALL BUSINESS STATEMENT**  
**“AFTER” PUBLIC HEARING TO THE**  
**SMALL BUSINESS REGULATORY REVIEW BOARD**  
(Hawaii Revised Statutes (HRS), §201M-3)

**Department or Agency:** DCCA - Professional and Vocational Licensing Division

**Administrative Rule Title and Chapter:** Title 16, Chapter 73

**Chapter Name:** Barbers

**Contact Person/Title:** Jenny Yam - Executive Officer

**Phone Number:** 808-586-2692

**E-mail Address:** jyam@dcca.hawaii.gov **Date:** December 2, 2021

A. To assist the SBRRB in complying with the meeting notice requirement in HRS §92-7, please attach a statement of the topic of the proposed rules or a general description of the subjects involved.

B. Are the draft rules available for viewing in person and on the Lieutenant Governor's Website pursuant to HRS §92-7?



Yes



No

Proposed amendments to the rules are available online at <http://cca.hawaii.gov/proposedrulemaking/>. Hard copies are available at the Department of Commerce and Consumer Affairs (DCCA), Room 301, Monday through Friday, 7:45 a.m. – 4:30 p.m., except holidays.

(If “Yes,” please provide webpage address and when and where rules may be viewed in person. Please keep the proposed rules on this webpage until after the SBRRB meeting.)

I. Rule Description: ☐ New ☒ Repeal ☐ Amendment ☐ Compilation

II. Will the proposed rule(s) affect small business?



Yes



No (If “No,” no need to submit this form.)

\* “Affect small business” is defined as “any potential or actual requirement imposed upon a small business . . . that will cause a direct and significant economic burden upon a small business, or is directly related to the formation, operation, or expansion of a small business.” HRS §201M-1

\* “Small business” is defined as a “for-profit corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legal entity that: (1) Is domiciled and authorized to do business in Hawaii; (2) Is independently owned and operated; and (3) Employs fewer than one hundred full-time or part-time employees in Hawaii.” HRS §201M-1

III. Is the proposed rule being adopted to implement a statute or ordinance that does not require the agency to interpret or describe the requirements of the statute or ordinance?



Yes



No

(If “Yes” no need to submit this form. E.g., a federally-mandated regulation that does not afford the agency the discretion to consider less restrictive alternatives. HRS §201M-2(d))

IV. Is the proposed rule being adopted pursuant to emergency rulemaking? (HRS §201M-2(a))



Yes



No

(If “Yes” no need to submit this form.)

\*

\*

\*

**V. Please explain how the agency involved small business in the development of the proposed rules.**

The Board's various public meetings and the recent public hearing afforded interested individuals an opportunity to provide their opinions. The Board also consists of professionals and public members.

- a. **Were there any recommendations incorporated into the proposed rules? If yes, explain. If not, why not?**

N/A

**VI. If the proposed rule(s) affect small business, and are not exempt as noted above, please provide the following information:**

1. A description of how opinions or comments from affected small businesses were solicited.
2. A summary of the public's and small businesses' comments.
3. A summary of the agency's response to those comments.
4. The number of persons who:
  - (i) Attended the public hearing: 5
  - (ii) Testified at the hearing: 1
  - (iii) Submitted written comments: 0
5. Was a request made at the hearing to change the proposed rule in a way that affected small business?  
☐ Yes    ☒ No
  - (i) If "Yes," was the change adopted?    ☐ Yes    ☐ No
  - (ii) If No, please explain the reason the change was not adopted and the problems or negative result of the change.

Small Business Regulatory Review Board / DBEDT  
Phone: (808) 586-2594 / Email: [DBEDT.sbrrb.info@hawaii.gov](mailto:DBEDT.sbrrb.info@hawaii.gov)

This statement may be found on the SBRRB Website at:  
<http://dbedt.hawaii.gov/sbrrb-impact-statements- pre-and-post-public-hearing>



## October 2021 Meeting Minutes

### C. Discussion and Action on Proposed Amendments to HAR Title 16 Chapter 73, Barbers, promulgated by Department of Commerce and Consumer Affairs (DCCA)

Discussion leader Ms. Rodighiero explained that the proposed rule changes represent medical clearances for all barber and cosmetologist licensees, which total approximately 11,000. However, during the COVID-19 epidemic and in order to help ease the financial pressure, this medical clearance was removed, although the DCCA boards still have discretion to make any exceptions or requests for medical clearance, if needed.

Ms. Jenny Yam, Executive Officer at DCCA's Professional and Vocational Licensing Division, clarified that this proposal is not a permanent requirement for licensure. The only time when this rule provision would take effect is if and when DOH declares an emergency or an epidemic.

Ms. Yam explained that when the COVID-19 crisis began in March 2020, the State of Hawaii was deemed in an emergency whereby the Governor issued a statewide stay-at-home mandate. This emergency was carried over until May 2020 when the state allowed barbershops and beauty salons to reopen.

Subsequently, the statute for medical clearance and the respective rules were suspended by the Governor's 8<sup>th</sup> to the 21<sup>st</sup> emergency proclamations, the latter of which expired August 6, 2021. The Governor has since approved emergency rules to be adopted to repeal this mandate for 120 days so that DCCA can go through the regular rule-review process for the "official" repeal.

Ms. Yam further explained that this rule proposal is in front of this Board for consideration of any potential small business impact. However, during the entire time and up until August 6<sup>th</sup>, there were no concerns or questions from the public or from small business. Also, when the State Boards officially met and reviewed the repeal proposals, there were again no concerns or questions from the public or small business.

Ms. Rodighiero motioned to move the proposed amendments to public hearing. Mr. Ritchie seconded the motion, and the Board members unanimously agreed.

### D. Discussion and Action on Proposed Amendments to HAR Title 16 Chapter 78 Cosmetology, promulgated by DCCA

See discussion above in Section IV. C.

Ms. Rodighiero motioned to move the proposed amendments to public hearing. Second Vice Chair Shick seconded the motion, and the Board members unanimously agreed.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

Amendment and Compilation of Chapter 16-73  
Hawaii Administrative Rules

November 30, 2021

1. Chapter 16-73, Hawaii Administrative Rules, entitled "Barbers", is amended and compiled to read as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 16

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

CHAPTER 73

BARBERS

Subchapter 1 General Provisions

§16-73-1	Objective
§16-73-2	Definitions
§16-73-3	Notification and filing of names, addresses, and changes
§16-73-4	Exceptions to place of practice
§16-73-5	Number of apprentices limited
§16-73-6	Display of licenses or permits
§16-73-7	Renewal of licenses
§16-73-8	Workmanship

## Subchapter 2 Applications

§16-73-11	Forms and instructions
§16-73-12	Application for examination
§16-73-13	Application for barber apprentice
§16-73-14	Application for barber shop license

## Subchapter 3 Qualification Requirements

§16-73-18	Qualification for barber and barber apprentice
§16-73-19	Qualification for barber shop
§16-73-20	Temporary permit
§16-73-20.5	Barber training program
§16-73-21	Denial of application
§16-73-22	Demand for hearing
§16-73-23	Proceedings upon demand for hearing

## Subchapter 4 Examination

§16-73-27	Barber
§16-73-28	Reexamination
§16-73-29	Reader/interpreter
§16-73-30	Credits
§16-73-31	Passing score
§16-73-32	Place of examination

## Subchapter 5 Requirements for a Barber Shop

§16-73-36	Public health
§16-73-37	Shop conditions
§16-73-38	Sanitary practices
§16-73-39	Infectious and contagious diseases
§16-73-40	Shop license
§16-73-41	Display of shop license
§16-73-42	Failure to comply
§16-73-43	Repealed

## Subchapter 6 Violation

- §16-73-47 Violation
- §16-73-48 Restoration of forfeited license

## Subchapter 7 Practice and Procedure

- §16-73-51 Administrative practice and procedure

## Subchapter 8 Medical Clearance - Repealed

- §16-73-56 Repealed

## Subchapter 9 Oral Testimony

- §16-73-61 Oral testimony

## SUBCHAPTER 1

### GENERAL PROVISIONS

**§16-73-1 Objective.** This chapter adopted by the board of barbers, hereafter referred to as "board," is intended to clarify and implement chapter 438, Hawaii Revised Statutes, to the end that the provisions thereunder may be best effectuated and the public interest most effectively protected. [Eff 8/11/66; am and ren §16-73-1, 7/30/81; am and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5)  
(Imp: HRS §438-5)

**§16-73-2 Definitions.** Definitions of terms found in section 438-1, HRS, shall be adopted by reference. In addition, as used in chapter 438, HRS, and this chapter:

"Barber training" means barber apprenticeship in a licensed barber shop under supervision of a licensed barber or as a student at a barber school with licensed barbers and licensed by the state department of education. [Eff 8/11/66; am and ren §16-73-2, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §§438-1, 438-7, 438-10)

**§16-73-3 Notification and filing of names, addresses, and changes.** (a) Each person holding a license, permit, or any other authority to practice or engage in any activity in the State, under any and all laws administered by the board, shall file the person's proper and current mailing address with the board and shall immediately notify the board in writing of any and all changes which occur.

(b) In addition to the requirements of subsection (a), each holder of a license to operate a barber shop shall file the name and location of the barber shop, the name and license number of the barber in charge of the shop, and in the case of a partnership or a corporation, shall also file with the board the names and addresses of the partners or officers and directors, as the case may be, and shall notify the board within ten days of any and all changes which occur. Licenses are not transferable.

If a barber shop changes ownership it is considered a new shop. A barber shop that is remodeled and reopened on the same site as an existing shop and under the same ownership shall not be considered a new shop. [Eff 8/11/66; am and ren §16-73-3, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §§438-2, 438-5)

**§16-73-4 Exceptions to place of practice. (a)**

A duly licensed barber may practice outside of a licensed barber shop:

- (1) To service the public who for valid reasons are unable to visit a shop;
- (2) Barber schools;
- (3) Beauty shops; or
- (4) For a charitable event.

(b) The conditions for practicing outside of a shop are as follows:

- (1) Arrangements are made through a licensed shop;
- (2) Records are kept of such arrangements; and
- (3) The service shall comply with sanitary practices of section 16-73-38. [Eff 8/11/66; am and ren §16-73-4, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-2)

**§16-73-5 Number of apprentices limited.**

There shall not be a ratio of more than two apprentices to one barber in any barber shop. [Eff 8/11/66; am and ren §16-73-5, 7/30/81; am and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-7)

**§16-73-6 Display of licenses or permits.**

The permit or license together with evidence of current validation, shall be conspicuously displayed at or near the barber's work station and the person to whom it was issued shall have evidence of current validation. [Eff 8/11/66; am and ren §16-73-6, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-9)

**§16-73-7 Renewal of licenses.** Renewal fees paid by mail shall be considered paid when due if the envelope bears a postmark of December 31 or earlier of the year in which the fees were due. [Eff 8/11/66; am and ren §16-73-7, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-12)

**§16-73-8 Workmanship.** All work performed shall conform to the industry standards. Conduct or practice contrary to recognized industry standards shall be construed as professional misconduct, gross negligence, or manifest incapacity. [Eff and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-14)

## SUBCHAPTER 2

### APPLICATIONS

**§16-73-11 Forms and instructions.** An application filed with the board shall be prepared in accord with and contain the information called for in the application form provided by the board and any instructions which may be required by the board with respect to the filing. The application forms may be modified from time to time as required. [Eff 8/11/66; am and ren §16-73-11, 7/30/81; am and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-7)

**§16-73-12 Application for examination.** An application to take the examination shall be filed at least forty-five days before the examination. Examinations are regularly conducted four times a year. An application for examination shall be accompanied by the required fee which shall not be refunded. The executive secretary of the board shall determine the sufficiency of preliminary qualifications of applicants for admission to examination. [Eff 8/11/66; am and ren §16-73-12, 7/30/81; am and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-7)

**§16-73-13 Application for barber apprentice.** An application for barber apprentice shall satisfy the qualification requirements. The barber apprentice shall include a barber student who shall register with the board as a barber apprentice. The executive secretary or such other person as may be designated by the department shall determine the sufficiency of qualifications of applicants. [Eff 8/11/66; am and ren §16-73-13, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-7)

**§16-73-14 Application for barber shop license.** The executive secretary or such other person as may be designated by the department shall determine the sufficiency of qualifications of applicants. [Eff 8/11/66; am and ren §16-73-14, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §§438-2, 438-7)



### SUBCHAPTER 3

#### QUALIFICATION REQUIREMENTS

**§16-73-18 Qualification for barber and barber apprentice.** (a) A barber and barber apprentice shall file a notarized application. The application shall include:

- (1) Verification that the applicant is at least seventeen years of age; and
- (2) The required and appropriate fees.

(b) A barber applicant, in addition to complying with subsection (a), shall provide verification of successfully completing at least fifteen hundred clock hours of barber training as reflected in section 16-73-20.5.

(c) Upon complying with subsection (a), a barber apprentice applicant shall be issued an apprentice permit to learn and train in the practice of barbering. The apprentice permit shall be valid for a period that covers fifteen hundred clock hours but not more than twelve months, provided that an extension of not more than six months may be granted upon request with an explanation for the extension.

(d) Any barber apprentice registered with the board prior to January 1, 1994, and files a barber application before July 31, 1994, may satisfy the barber training requirement of section 16-73-18(b) upon completion of at least six months of experience under supervision of a licensed barber. The training shall include but is not limited to:

- (1) Barber regulations;
- (2) Safety and sanitation;
- (3) Haircutting (standard and styling);
- (4) Shaving;
- (5) Scalp and facial treatment;
- (6) Permanent waving;
- (7) Hair coloring and lightening; and
- (8) Product chemistry.

(e) A barber applicant who has not obtained licensure after four consecutive examinations offered by the board shall be required to apply as a barber apprentice and train for six months before qualifying for another series of examinations. The barber applicant shall provide verification of the six month barber training. The six months of barber training shall be concentrated in the areas of the applicant's weaknesses.

(f) A barber applicant's training requirement may be satisfied in whole or in part with equivalent out-of-state barber training. Should the out-of-state training be insufficient to satisfy the training requirement, then the difference may be made up by verification of at least six months barbering experience. [Eff 8/11/66; am and ren §16-73-18, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-7)

**§16-73-19 Qualification for barber shop. (a)**

An applicant for a barber shop license shall file a notarized application and provide the following:

- (1) Name and license number of the licensed barber to qualify shop for license;
- (2) Verification that the shop complies with the sanitation requirements of the department of health; and
- (3) If the applicant is a corporation or partnership, verification of proper registration with the business registration division (BREG) of the department.

(b) The licensed barber shop shall be responsible for all operations of the shop and shall be responsible to see that only currently qualified persons are practicing in the shop.

(c) The barber shop license is nontransferable. The following changes require filing of a barber shop application along with payment of required fees:

- (1) A change in ownership shall meet the shop qualification requirements and be considered a new license~~[7]~~;
- (2) A change in shop name shall identify a licensed barber and shop owner without affecting the shop license number~~[7]~~; and
- (3) A shop relocation shall require filing of a sanitation clearance and identification of a licensed barber without affecting the shop license number. [Eff 8/11/66; am and ren §16-73-19, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; am and comp  
] (Auth: HRS §438-5) (Imp: HRS §§438-2, 438-7)

**§16-73-20 Temporary permit.** (a) A temporary permit shall be issued upon request to barber applicants that have been approved for examination. The temporary permit authorizes the permittee to work and train while waiting for examination. The temporary permit covers a period of four examinations as consecutively scheduled by the board from the date of qualifying for the first examination.

(b) The qualified barber applicant shall file a temporary permit application and pay a temporary permit fee as provided in chapter 16-53.

(c) The temporary permit provides that a qualified applicant work and train under supervision of a licensed barber in a qualified shop. [Eff 8/11/66; am and ren §16-73-20, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp  
] (Auth: HRS §438-5) (Imp: HRS §438-10)

**§16-73-20.5 Barber training program.** (a) The barber training program provides the standards and procedures for barber training as identified as Exhibit A, dated September 7, 1993, located at the end of this chapter. The program reflects the barbering subjects, the range of training hours for each subject

and the minimum required operations for the identified subjects.

(b) The barber training curriculum shall be not less than fifteen hundred clock hours that includes but is not limited to the subjects, hours and operations as identified as Exhibit B, dated September 7, 1993, located at the end of this chapter.

(c) The barber training progress report reflects the monthly training hours and operations as identified as Exhibit C, dated September 7, 1993, located at the end of this chapter. The progress report shall be retained by the barber school or shop and be subject to inspection by the board.

(d) The notice of completion or withdrawal of barber training shall be utilized to reflect the completed training in hours in the appropriate subjects as identified as Exhibit D, dated September 7, 1993, located at the end of this chapter.

(e) Sixty minutes shall constitute one curriculum hour. Theory training shall be classroom type training of reading and acquiring knowledge of the practice of barbering. Theory training shall be introduced before practical application training begins. Practical application training shall occur on a mannequin or model before training on clients.

(f) Practical application operations are reflected as hands-on training in the identified subject areas whether the training occurs on mannequins, models or clients.

(g) Barber training shall occur in a licensed barber school or shop. Barber students or apprentices shall first register with the board before barber training begins. [Eff and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-7)

**§16-73-21 Denial of application.** In the event any application is denied, the board shall notify the applicant by letter of the board's action. The letter shall include a concise statement of the reasons for

denial and a statement informing the applicant of the right to a hearing. [Eff 8/11/66; am and ren §16-73-21, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5)  
(Imp: HRS §438-6)

**§16-73-22 Demand for hearing.** Each person whose application has been denied shall be entitled to a hearing, provided that a demand for a hearing is filed with the board within sixty days of the date of mailing of the letter informing the applicant of the board's denial. [Eff 8/11/66; am and ren §16-73-22, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-6)

**§16-73-23 Proceedings upon demand for hearing.** If a demand for hearing is filed within the time prescribed, the board shall order a hearing, in accordance with chapter 16-201. [Eff 8/11/66; am and ren §16-73-23, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-6)

#### SUBCHAPTER 4

#### EXAMINATION

**§16-73-27 Barber.** (a) Barber examinations shall be conducted in accordance with procedures formulated by the testing service and authorized by the board to develop and administer examinations. Failure to comply with established procedures may result in disqualification from future examinations.

(b) The examinations shall incorporate the board's law and rules, barber theory and practical barber demonstration.

(c) The examination shall be conducted four times a year, usually in March, June, September, and December.

(d) The examination shall be given in the English language. [Eff 8/11/66; am and ren §16-73-27, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-8)

**§16-73-28 Re-examination.** The applicant not achieving a passing score on any part shall be required to retake and pass each part failed to be licensed as a barber, provided that the applicant must pass the failed parts by the fourth examination as consecutively scheduled by the board from the date of qualifying for the first examination. Should the applicant fail to achieve a passing grade by the fourth examination as consecutively scheduled by the board, the applicant shall be required to apply as an apprentice for six months before qualifying for another series of examinations. [Eff 8/11/66; am and ren §16-73-28, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-8)

**§16-73-29 Reader/interpreter.** An applicant shall be permitted to have a reader/interpreter for the written examination parts. The cost of a reader/interpreter shall be borne by the applicant. The applicant requesting a reader/interpreter shall be a person not having the ability to read and comprehend the English language because of education, first language difficulty, or a medical handicap. The reader/interpreter shall not be associated with the barber or cosmetology profession. [Eff 8/11/66; am

and ren §16-73-29, 7/30/81; am and comp 8/25/90; comp  
11/25/94; comp ] (Auth: HRS §438-5)  
(Imp: HRS §438-8)

**§16-73-30 Credits.** The applicant shall earn credits for each examination part passed and the credit shall be maintained for the next three examinations as consecutively scheduled by the board from the date the applicant first qualifies for examination. [Eff 8/11/66; am and ren §16-73-30, 7/30/81; am and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-8)

**§16-73-31 Passing score.** A grade of not less than 75.00 points shall be a passing score for any part of the examination. [Eff 8/11/66; am and ren §16-73-31, 7/30/81; am and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-8)

**§16-73-32 Place of examination.** The examinations shall be regularly held in Honolulu. However, upon timely request by applicants residing on an island other than Oahu and a showing that their number exceeds eight, the board may, in its discretion, conduct examinations on that neighboring island. [Eff 8/11/66; am and ren §16-73-32, 7/30/81; am and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-8)

## SUBCHAPTER 5

### REQUIREMENTS FOR A BARBER SHOP

**§16-73-36 Public health.** Each applicant shall submit a certificate from the state department of health which indicates that the shop meets all sanitation and public health requirements before a license to operate and conduct a barber shop shall be issued. [Eff 8/11/66; am and ren §16-73-36, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-2)

**§16-73-37 Shop conditions.** A person who operates a barber shop shall comply with the following conditions:

- (1) The walls, floors, ceilings, furniture, fixtures, and all other parts and surfaces in a shop shall be kept clean at all times. Hair dropping shall be removed from the floor as soon as practicable and placed in a securely covered container pending disposal. Excessive accumulations shall not be allowed;
- (2) Every shop shall be properly and adequately lighted and ventilated;
- (3) Every shop shall be provided with adequate sanitary facilities, including toilets, hot and cold running water, sinks or wash basins. Toilets shall be located in suitable and properly ventilated toilet rooms with self-closing doors; and
- (4) A work station, including barber chair, shall be maintained in a safe, clean, and sanitary manner. [Eff 8/11/66; am and ren §16-73-37, 7/30/81; am and comp 8/25/90; am



and comp 11/25/94; comp ]  
(Auth: HRS §438-5) (Imp: HRS §438-7)

**§16-73-38 Sanitary practices.** All persons who are engaged in barbering shall observe the following sanitary practices:

- (1) The use of any astringent in lump or styptic pencil form, sponge, lump alum, powder puff, neck duster, shaving brush, or shaving mug shall be prohibited in any shop. Possession of the same is prima facie evidence that same is being used there in the practice of barbering;
- (2) No barber shall stop the flow of blood by using alum or other material unless the same is used in liquid form or as a powder and applied with a clean towel;
- (3) Razors, shears, scissors, clippers, tweezers, finger bowls, or combs, or any like article shall not be used on any customer unless they have been thoroughly cleaned and sanitized since last used. All such instruments shall be thoroughly cleaned and sanitized by a method approved by the department of health, after having been used on a patron. After sanitization, they shall be stored in a manner to prevent contamination, or be sanitized again immediately before reuse;
- (4) No barber shall remove or attempt to remove any wart, mole, pimple, or ingrown hair or undertake any treatment properly performable by persons trained in medical science. Cleaning of ears is prohibited;
- (5) All persons engaged in barbering shall wash their hands thoroughly with soap and hot water immediately before attending to any person, and shall wear at all times a clean uniform or outer coat or apron of washable material;

- (6) Towels or other fabrics that come in contact with the skin or hair of a person shall not be used on more than one patron without being laundered in an acceptable manner. Such towel or fabric after use on a patron, shall be placed in a hamper or suitable receptacle, from which it shall not be removed except for laundering or final disposal. Laundry shall be washed clean and then subjected to a sanitizing process before being used on a patron again. The sanitation process shall hold such laundry for at least twenty minutes at a temperature of at least 180°F;
- (7) Prior to serving any patron, the headrest of any chair shall be covered with a clean towel or a clean sheet of paper. If any towel or implement is to be wet, such towel or implement shall be wet in running water and shall not be dipped in any water container;
- (8) All towels and other linens used in any shop shall be kept in a closed cabinet at all times when not in use;
- (9) All creams, tonic, cosmetics, and other applications used on patrons shall be kept in clean closed containers; and
- (10) A clean strip of cotton, towel, or paper band shall be placed around the neck of each patron served so that at no time will the hair, cloth, or cape come in contact with the neck or skin of the patron. [Eff 8/11/66; am and ren §16-73-38, 7/30/81; am and comp 8/25/90; comp 11/25/94; comp \_\_\_\_\_] (Auth: HRS §438-5) (Imp: HRS §438-7)

§16-73-39 Infectious and contagious diseases.

- (a) Persons afflicted with a contagious or infectious disease in a communicable form shall not be permitted

to attend any person in any barber shop, nor shall any person afflicted with such disease be permitted to receive any treatment in any barber shop.

(b) Any person who has been afflicted with any such disease shall return to work only upon a written statement from a physician that it is safe for the person to return to work. [Eff 8/11/66; am and ren §16-73-39, 7/30/81; am and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-8.5)

**§16-73-40 Shop license.** More than one license to conduct a barber shop may be issued to any place of business; provided that each license holder is jointly and severally responsible and liable to the board. [Eff 8/11/66; am and ren §16-73-40, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §438-2)

**§16-73-41 Display of shop license.** (a) The license to operate and conduct a barber shop shall be conspicuously displayed, together with evidence of current validation, in the place of business.

(b) The shop owner or person in charge of the shop shall be responsible to see that only qualified persons are permitted to practice in the shop and ensure that the license or permit is conspicuously displayed adjacent to or near the work station. [Eff 8/11/66; am and ren §16-73-41, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §§438-2, 438-9)

**§16-73-42 Failure to comply.** Refusal or neglect on the part of any owner, manager, or employee to comply with this chapter shall be construed to be

unprofessional conduct and may subject any violator to suspension or revocation of the license. [Eff 8/11/66; am and ren §16-73-42, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ]  
(Auth: HRS §438-5) (Imp: HRS §438-14)

**§16-73-43 Repealed.** [R 8/25/90]

SUBCHAPTER 6

VIOLATION

**§16-73-47 Violation.** (a) Any person or corporation who shall practice, maintain a shop, or act in any capacity without a license or permit, when a license or permit is required as provided for by chapter 438, HRS, and this chapter shall be prosecuted as provided by law, which may include but is not limited to revocation, suspension, fine or combination thereof, or refusal to grant or renew any license or permit.

(b) In all cases where the board proposes to suspend, revoke, fine or refuse to grant or renew any license or permit, it shall afford all parties an opportunity to be heard as provided for under chapter 91, HRS, and chapter 16-201. [Eff 8/11/66; am and ren §16-73-47, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §438-5)  
(Imp: HRS §§438-5, 438-13)

**§16-73-48 Restoration of forfeited license.** (a)  
A license is immediately and automatically forfeited after the expiration date for non-compliance with the requirements for maintaining or renewing the license.

(b) A forfeited license may be restored under the following conditions:

- (1) File a completed restoration application along with a notarized signature;
- (2) Payment of all delinquent biennial renewal fees including the current fee;
- (3) Payment of a penalty fee for each biennial renewal as provided in the department's fee rules, chapter 16-53; and,
- (4) Should the restoration request be made after three years from the date of forfeiture, a written explanation along with supporting documentation shall be necessary and shall be subject to approval by the board. [Eff and comp 11/25/94; comp ]  
(Auth: HRS §438-5) (Imp: HRS §438-12)

#### SUBCHAPTER 7

#### PRACTICE AND PROCEDURE

##### **§16-73-51 Administrative practice and procedure.**

The rules of practice and procedure for barbering shall be as provided in chapter 16-201, which are incorporated by reference and made a part of this chapter. [Eff 11/1/65; am and ren §16-73-51, 7/30/81; am and comp 8/25/90; am and comp 11/25/94; comp ] (Auth: HRS §91-2) (Imp: HRS §91-2)

#### ~~[SUBCHAPTER 8~~

#### ~~MEDICAL CLEARANCE~~

~~§16-73-56 Medical clearance.~~ If the department of health declares an emergency or epidemic concerning one or more contagious or infectious disease or diseases, all licensed barbers, barber applicants, and apprentices shall provide a medical clearance certificate from a physician attesting that the licensee or applicant is free from that particular contagious or infectious disease or diseases as the case may be.] [Eff and comp 8/25/90; comp 11/25/94; R ] (Auth: HRS §438-5) (Imp: HRS §438-8.5)

## SUBCHAPTER 9

### ORAL TESTIMONY

**§16-73-61 Oral testimony.** (a) The board shall accept oral testimony on any item which is on the agenda, provided that the testimony shall be subject to the following conditions:

- (1) Each person seeking to present oral testimony shall notify the board not later than forty-eight hours prior to the meeting, and at that time shall state the item on which testimony is to be presented;
- (2) The board may request that any person providing oral testimony submit the remarks, or a summary of the remarks, in writing to the board;
- (3) The board may rearrange the items on the agenda for the purpose of providing for the most efficient and convenient presentation of oral testimony;
- (4) Persons presenting oral testimony at the beginning of the testimony shall identify themselves and the organization, if any, that they represent;

- (5) The board may limit oral testimony to a specified time period but in no case shall the period be less than five minutes, and the person testifying shall be informed prior to the commencement of the testimony of the time constraints to be imposed; and
- (6) The board may refuse to hear any testimony which is irrelevant, immaterial, or unduly repetitious to the agenda item on which it is presented.

(b) Nothing in this section shall require the board to hear or receive any oral or documentary evidence from a person on any matter which is the subject of another proceeding pending subject to the hearings relief, declaratory relief, or rule relief provisions of chapter 16-201.

(c) Nothing in this section shall prevent the board from soliciting oral remarks from persons present at the meeting or from inviting persons to make presentations to the board on any particular matter on the board's agenda." [Eff and comp 8/25/90; comp 11/25/94; comp ] (Auth: HRS §438-5) (Imp: HRS §92-3)

2. Material, except source notes and other notes, to be repealed is bracketed and stricken. New material is underscored.

3. Additions to update source notes and other notes to reflect these amendments and compilation are not underscored.

4. These amendments to and compilation of chapter 16-73, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on November 30, 2021 and filed with the Office of the Lieutenant Governor.

*Catherine P. Awakuni Colón*

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CATHERINE P. AWAKUNI COLÓN  
Director of Commerce and  
Consumer Affairs

APPROVED AS TO FORM:

*Kelly Suzuka*

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Deputy Attorney General



## STATE OF HAWAII

### BARBER TRAINING PROGRAM

The Barber Training Program shall not be less than 1500 clock hours of instruction in theory and practice which consists of the fundamentals of barbering in the following subjects:

200 to 300 hours of theory training shall include but not be limited to:

1. Laws, rules and regulations governing the practice of barbering in the State of Hawaii;
2. Barber history, ethics, hygiene, bacteriology, and implements;
3. Sanitation and sterilization of the shop and implements; patron protection;
4. Shampooing and conditioning;
5. Scalp manipulations and application of hair tonics and preparations;
6. Facials;
7. Shaving, beard and moustache trimming, honing and stropping;
8. Haircutting (taper, box, longer styles and razor cuts);
9. Hairstyling (shapes, wet styling and thermal styling);
10. Hair relaxing;
11. Hair coloring and bleaching;
12. Permanent waving;
13. Product knowledge;
14. Trichology, hair scalp and skin disorders and diseases; and
15. Shop management, fundamental bookkeeping and sales.

1200 to 1300 hours of practical application training shall include but not be limited to the subjects listed below and minimum operations:

- 350 to 900 hours - haircutting and hairstyling and operations at a minimum of 200 haircuts, 80 taper cuts, 5 razor cuts and 200 hairstyles;
- 75 to 130 hours - haircoloring, relaxing, bleaching and operations at a minimum of 25 colorings, 10 relaxings, and 10 bleachings;
- 90 to 175 hours - permanent waving and operations at a minimum of 50 permanent waves;
- 50 to 100 hours - shampooing, conditioning and operations at a minimum of 50 shampoos and conditionings;
- 20 to 50 hours - shaving, moustache and beard trims, and operations at a minimum of 20 shaves, 20 mustache and beard trims;
- 10 to 30 hours - facials and operations at a minimum of 15 facials;
- 5 to 15 hours - scalp treatments and operations at a minimum of 10 scalp treatments;
- 40 to 65 hours - sales and shop management (services, bookkeeping, retail experience); and
- 50 to 100 hours - shop sanitation and sterilization practices.

BARBER TRAINING CURRICULUM  
HAWAII BOARD OF BARBERS

HOURS	SUBJECTS OF TRAINING	
1500 TOTAL	THEORY	PRACTICAL APPLICATION AND MINIMUM OPERATIONS
200 to 300 hours	<b>BASIC THEORY</b> Instruction in all subjects including the history of barbering, ethics, hygiene, bacteriology, sanitation, sterilization, safe work practices, trichology, dermatology, anatomy and chemistry (limited to their use in barbering), skin scalp and hair disorders and diseases, laws, rules and regulations governing the practice of barbering in Hawaii, and all practical services performed by a barber.	
350 to 900 hours	<b>HAIRCUTTING AND STYLING</b> Haircutting angles, terminology, techniques and equipment, product knowledge, patron protection, style selection, thermal styling, curling and drying, chemistry and safety.	<b>HAIRCUTTING AND STYLING</b> Required: A minimum operation of 200 style cuts, 80 tapered cuts, 5 razor cuts, and 200 hairstyles. Services: Blunt, taper, layer, box, and graduated cuts, flat tops, preparation, selection, sectioning, cutting, and thinning, the use of shears, clipper, razor, dryers and irons.
75 to 130 hours	<b>HAIRCOLORING AND BLEACHING</b> Laws of color, color selection, patron protection, hair and scalp analysis, product knowledge: Colors, lighteners, and dye removers, chemistry, corrective measures, safety, materials and supplies, classification, penetration and application of single and double process colors.  <b>HAIR RELAXING</b> Action and strength of chemical hair relaxers, thermal hair relaxing, patron protection, hair and scalp analysis, product knowledge and chemistry, materials and supplies, application techniques.	<b>HAIRCOLORING AND BLEACHING</b> Required: A minimum operation of 25 color and 10 bleach applications. Services: Patron protection and preparation, patch test, hair and scalp analysis, mix and apply temporary, semipermanent and permanent tints and lighteners, record forms, virgin tint and lightener application (lighter and darker), retouches, toners, frosting, tipping, streaking (cap and weave), color removal and tint backs.  <b>HAIR RELAXING</b> Required: A minimum operation of 10 relaxer applications. Services: Patron preparation, protection and safety, scalp and hair analysis, virgin application of sodium hydroxide and this relaxers, retouch applications, reverse perms, neutralizing, conditioning, and thermal hair straightening, record forms.
90 to 175 hours	<b>PERMANENT WAVING</b> Action and strength of solutions, patron protection, hair and scalp analysis, product knowledge and chemistry, materials and supplies, communication, rod selection, sectioning, blocking, wrapping, processing, testing, neutralizing, techniques of single process and double process permanent waving.	<b>PERMANENT WAVING</b> Required: A minimum operation of 50 permanent wave operations. Services: Patron protection and preparation, consultation, sectioning, blocking and wrapping techniques for acid and alkaline perms, test curls, processing, neutralizing, record forms, single process and double process perms.
50 to 100 hours	<b>SHAMPOOING AND CONDITIONING</b> Purposes and effects of shampoos, rinses and conditioners, patron protection, hair and scalp analysis, product knowledge and chemistry, characteristics, selection and application techniques.	<b>SHAMPOOING AND CONDITIONING</b> Required: A minimum operation of 50 shampoo and conditioning services. Services: Patron protection and preparation, hair and scalp analysis, shampoo manipulations, conditioning, rinsing.
20 to 50 hours	<b>SHAVING, MOUSTACHES AND BEARDS</b> Facial analysis, use and care of implements, steam, lather and astringent, patron protection, safety, materials and supplies, techniques.	<b>SHAVING, MOUSTACHES AND BEARDS</b> Required: A minimum operation of 20 shaves, 20 moustache and beard trims. Services: Preparation and safety, facial analysis, moustache, nose and beard trims, proper position and use of the razor, steam, lather styptic powder, astringent, honing and stropping.
10 to 30 hours	<b>FACIALS</b> Theory of massage, patron protection, skin analysis, product knowledge, chemistry and effects, massage techniques.	<b>FACIALS</b> Required: A minimum operation of 15 facial operations. Services: Patron protection and precautions, skin analysis, massage manipulations, application of cremes, astringent, packs and masks.
5 to 15 hours	<b>SCALP TREATMENT</b> Purpose and effect of treatments, electricity and light therapy, patron protection, scalp analysis, product knowledge and chemistry, manipulation techniques.	<b>SCALP TREATMENT</b> Required: A minimum operation of 10 scalp treatments. Services: Patron protection and preparation, brushing, application of tonics or scalp conditioners (non-medical), and manipulations.
40 to 65 hours	<b>SHOP MANAGEMENT AND SALES</b> Poise, personality, shop management, reception, fundamental bookkeeping, inventory and retailing.	<b>SHOP MANAGEMENT AND SALES</b> Required: Basic first aid. Services: Reception, telephone techniques, appointment booking, recordkeeping, fundamental bookkeeping, dispensary, inventory, stocking, pricing and retailing.
50 to 100 hours	<b>SANITATION AND STERILIZATION</b> Methods, preparation and agents used to kill or retard the growth of pathogenic bacteria, sanitary rules and measures.	<b>SANITATION AND STERILIZATION</b> Required: Continuous cleaning of station, chair, sink, mirror, and floors, sanitation and sterilization of implements, sanitary use of supplies, all responsibilities necessary for managing a clean and safe shop.

**HAWAII BOARD OF BARBERS  
BARBER TRAINING PROGRESS REPORT**

Name of Barber School/Shop: \_\_\_\_\_ License No. \_\_\_\_\_  
 Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
 Name of Student/Apprentice: \_\_\_\_\_ Permit No. \_\_\_\_\_ Expiration Date \_\_\_\_/\_\_\_\_/\_\_\_\_  
 Name of Licensed Barber: \_\_\_\_\_ License No. \_\_\_\_\_

Hrs	TRAINING Minimum Operations	Month 1		Month 2		Month 3		QUARTER TOTAL		Month 4		Month 5		Month 6		QUARTER TOTAL	
		HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN
350 to 900	200 Hair Styles																
	200 Hair Cuts																
	80 Tapered																
	5 Razored																
75 to 130	25 Color																
	10 Relaxing																
	10 Bleaching																
90 to 175	50 Permanent Waves																
50 to 100	50 Shampoo/Conditioning																
20 to 50	20 Shaves																
	20 Moustache/Beards																
10 to 30	15 Facials																
5 to 15	10 Scalp Treatments																
40 to 65	Sales/Shop Management																
50 to 100	Sanitation/Sterilization																
200 to 300	Theory																

(Continued on Back)

**HAWAII BOARD OF BARBERS  
BARBER TRAINING PROGRESS REPORT**

(Continued)

Hrs	TRAINING Minimum Operations	Month 7		Month 8		Month 9		QUARTER TOTAL		Month 10		Month 11		Month 12		QUARTER TOTAL	
		HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN	HRS	OPN
350 to 900	200 Hair Styles																
	200 Hair Cuts																
	80 Tapered																
	5 Razored																
75 to 130	25 Color																
	10 Relaxing																
	10 Bleaching																
90 to 175	50 Permanent Waves																
50 to 100	50 Shampoo/Conditioning																
20 to 50	20 Shaves																
	20 Moustache/Beards																
10 to 30	15 Facials																
5 to 15	10 Scalp Treatments																
40 to 65	Sales/Shop Management																
50 to 100	Sanitation/Sterilization																
200 to 300	Theory																
1500	<b>TOTAL CLOCK HOURS</b>																
<p>The foregoing information is a true and correct report of the hours and operations of the student/apprentice. This form is to be retained by the barber school/shop and subject to inspection by the board.</p>																	
Student/Apprentice Signature										Date							
Barber Signature										Date							

***Notice of Completion or Withdrawal***  
***of***  
**BARBER TRAINING**

Student/Apprentice

Name: \_\_\_\_\_ Permit No.: \_\_\_\_\_

Date Began: \_\_\_\_\_ Date Completed/Terminated: \_\_\_\_\_

School/Shop Name: \_\_\_\_\_ License No.: \_\_\_\_\_

Barber Name (Print): \_\_\_\_\_ License No.: \_\_\_\_\_

Indicate the **hours** applicable to the subjects:

- I. Theory .....
- II. Haircutting and Hairstyling .....
- III. Haircoloring, Relaxing and Bleaching .....
- IV. Permanent Waving .....
- V. Shampooing and Conditioning .....
- VI. Shaving, Moustache and Beard Trims .....
- VII. Facials .....
- VIII. Scalp Treatments .....
- IX. Shop Management and Sales .....
- X. Sanitation and Sterilization Practices .....
- ..... Total Clock Hours


This is to certify that the above-named Student/Apprentice has satisfactorily completed 1500 clock hours of barber training which includes the minimum operation requirements.

Supervisor

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

School/Shop

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### **III. Old Business – After Public Hearing**

B. Discussion and Action on Proposed  
Amendments and the Small Business  
Statement After Public Hearing for HAR  
Title 16 Chapter 78, **Cosmetology**,  
promulgated by DCCA

**SMALL BUSINESS STATEMENT**  
**“AFTER” PUBLIC HEARING TO THE**  
**SMALL BUSINESS REGULATORY REVIEW BOARD**  
(Hawaii Revised Statutes (HRS), §201M-3)

**Department or Agency:** DCCA - Professional and Vocational Licensing Division

**Administrative Rule Title and Chapter:** Title 16, Chapter 78

**Chapter Name:** Cosmetology

**Contact Person/Title:** Jenny Yam - Executive Officer

**Phone Number:** 808-586-2692

**E-mail Address:** jyam@dcca.hawaii.gov **Date:** December 2, 2021

A. To assist the SBRRB in complying with the meeting notice requirement in HRS §92-7, please attach a statement of the topic of the proposed rules or a general description of the subjects involved.

B. Are the draft rules available for viewing in person and on the Lieutenant Governor's Website pursuant to HRS §92-7? ☒ Yes ☐ No Proposed amendments to the rules are available online at <http://cca.hawaii.gov/proposedrulemaking/>. Hard copies are available at the Department of Commerce and Consumer Affairs (DCCA), Room 301, Monday through Friday, 7:45 a.m. – 4:30 p.m., except holidays.  
(If “Yes,” please provide webpage address and when and where rules may be viewed in person. Please keep the proposed rules on this webpage until after the SBRRB meeting.)

I. Rule Description: ☐ New ☒ Repeal ☐ Amendment ☐ Compilation

II. Will the proposed rule(s) affect small business?  
☐ Yes ☒ No (If “No,” no need to submit this form.)

\* “Affect small business” is defined as “any potential or actual requirement imposed upon a small business . . . that will cause a direct and significant economic burden upon a small business, or is directly related to the formation, operation, or expansion of a small business.” HRS §201M-1

\* “Small business” is defined as a “for-profit corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legal entity that: (1) Is domiciled and authorized to do business in Hawaii; (2) Is independently owned and operated; and (3) Employs fewer than one hundred full-time or part-time employees in Hawaii.” HRS §201M-1

III. Is the proposed rule being adopted to implement a statute or ordinance that does not require the agency to interpret or describe the requirements of the statute or ordinance?

☐ Yes ☒ No  
(If “Yes” no need to submit this form. E.g., a federally-mandated regulation that does not afford the agency the discretion to consider less restrictive alternatives. HRS §201M-2(d))

IV. Is the proposed rule being adopted pursuant to emergency rulemaking? (HRS §201M-2(a))

☐ Yes ☒ No  
(If “Yes” no need to submit this form.)

\*

\*

\*

**V. Please explain how the agency involved small business in the development of the proposed rules.**

The Board's various public meetings and the recent public hearing afforded interested individuals an opportunity to provide their opinions. The Board also consists of professionals and public members.

- a. Were there any recommendations incorporated into the proposed rules? If yes, explain. If not, why not?**

N/A

**VI. If the proposed rule(s) affect small business, and are not exempt as noted above, please provide the following information:**

1. A description of how opinions or comments from affected small businesses were solicited.
2. A summary of the public's and small businesses' comments.
3. A summary of the agency's response to those comments.
4. The number of persons who:
  - (i) Attended the public hearing: 5
  - (ii) Testified at the hearing: 1
  - (iii) Submitted written comments: 0
5. Was a request made at the hearing to change the proposed rule in a way that affected small business?  
☐ Yes ☒ No
  - (i) If "Yes," was the change adopted? ☐ Yes ☐ No
  - (ii) If No, please explain the reason the change was not adopted and the problems or negative result of the change.

Small Business Regulatory Review Board / DBEDT  
Phone: (808) 586-2594 / Email: [DBEDT.sbrrb.info@hawaii.gov](mailto:DBEDT.sbrrb.info@hawaii.gov)

This statement may be found on the SBRRB Website at:  
<http://dbedt.hawaii.gov/sbrrb-impact-statements- pre-and-post-public-hearing>



DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

Amendment and Compilation of Chapter 16-78  
Hawaii Administrative Rules

November 30, 2021

1. Chapter 16-78, Hawaii Administrative Rules,  
entitled "Cosmetology" is amended and compiled to read  
as follows:

"HAWAII ADMINISTRATIVE RULES

TITLE 16

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

CHAPTER 78

COSMETOLOGY

Subchapter 1 General Provisions

§16-78-1	Objective
§16-78-2	Definitions
§16-78-3	Notification and filing of names, addresses, and changes
§16-78-4	Duplicate certificates and licenses
§16-78-5	Renewal of license
§16-78-5.5	Restoration of forfeited license
§16-78-6	Responsibility
§16-78-7	Workmanship

## Subchapter 2 Applications

§16-78-9	Forms and instructions
§16-78-10	Application for examination and license
§16-78-11	License applications
§16-78-12	Applications for registration
§16-78-13	Denial
§16-78-14	Demand for hearing
§16-78-15	Falsification of application
§16-78-16	Abandonment of application

## Subchapter 3 Validation

§16-78-19	Requirements for registration
§16-78-20	Requirements for examination and license
§16-78-21	Temporary permit
§16-78-22	Curriculum

## Subchapter 4 Examinations

§16-78-26	Subject matter
§16-78-27	Passing score
§16-78-28	Examination
§16-78-29	Reexamination
§16-78-30	Language
§16-78-31	Supplies and equipment
§16-78-32	Repealed

## Subchapter 5 Exemptions and Exceptions

§16-78-36	Exemptions
§16-78-37	Exceptions

## Subchapter 6 Beauty Shop Requirements

§16-78-41	Compliance with other laws
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§16-78-42 Shop  
§16-78-43 Price list  
§16-78-44 Employment of apprentices  
§16-78-45 Employment of barbers

#### Subchapter 7 Beauty School Requirements

§16-78-48 Schools  
§16-78-49 Application  
§16-78-50 License  
§16-78-51 Courses of study  
§16-78-52 Law and rules  
§16-78-53 Principal  
§16-78-54 Instructor-student ratio  
§16-78-55 Instructor trainee  
§16-78-56 Bond  
§16-78-57 School facilities  
§16-78-58 Equipment  
§16-78-59 Enrollment  
§16-78-60 School hours  
§16-78-61 Students  
§16-78-62 Instructors  
§16-78-63 Library  
§16-78-64 Signs

#### Subchapter 8 Oral Testimony

§16-78-68 Oral testimony

#### Subchapter 9 Practice and Procedure

§16-78-72 Administrative practice and procedure

#### Subchapter 10 Medical Clearance--Repealed

§16-78-76 Repealed

## SUBCHAPTER 1

### GENERAL PROVISIONS

**§16-78-1 Objective.** This chapter is intended to clarify and implement chapter 439, Hawaii Revised Statutes, to the end that the provisions thereunder may be best effectuated. [Eff 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

#### **§16-78-2 Definitions.**

"Beauty school", unless the context clearly indicates otherwise, means a postsecondary school engaged in teaching cosmetology.

"Certificate of registration" means either a license or a registration certificate issued by the board.

"Director" means the director of the department.

"Executive secretary" means any person employed and assigned by the department to provide administrative services to the board, and to act as a liaison between the board and the department.

"Instructor-trainee" means a person who is engaged in a school in learning to be an instructor and while so doing does or assists in teaching any of the classified practices under the direct supervision of an instructor.

"Person" includes individuals, partnerships, corporations, associations, or public or private organization of any character other than governmental agencies.

"Postsecondary" means beyond the education equivalent to the completion of high school or grade twelve. [Eff 7/4/64; am 4/17/70; am and ren §16-78-2, 7/2/81; am and comp 12/21/89; comp 2/22/05; am 9/26/15; comp ] (Auth: HRS §438-5) (IMP: HRS §439-1)

**§16-78-3 Notification and filing of names, addresses, and changes.** (a) Any licensed person shall file one's mailing address with the board and shall notify the board in writing within thirty days of any and all changes.

(b) In addition to the requirements of subsection (a), an apprentice or instructor-trainee shall file with the board the name and address of the beauty shop or school where that person is learning and the name and license number of the beauty operator or instructor from whom that person is learning, and shall notify the board in writing within thirty days of any and all changes.

(c) In addition to the requirements of subsection (a) a licensed beauty shop, or school shall file the name and location of the shop or school, the name and license number of the person in charge of and responsible for the shop or school, and, in the case of a partnership, corporation, or association, shall also file with the board the names and addresses of the partners, officers, and directors, as the case may be, and shall notify the board within thirty days of all changes. [Eff 7/4/64; am and ren §16-78-3, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp  
] (Auth: HRS §438-5) (Imp: HRS  
§438-5)

**§16-78-4 Duplicate certificates and licenses.** A fee shall be assessed for duplicate certificates and licenses. [Eff 7/4/64; am and ren §16-78-4, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp  
] (Auth: HRS §438-5) (Imp: HRS  
§438-5)

**§16-78-5 Renewal of license.** Renewal fees paid by mail shall be considered as paid when due if the envelope bears a postmark of December 31 or earlier. [Eff 7/4/64; am and ren §16-78-5, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-15)

**§16-78-5.5 Restoration of forfeited license.**

(a) A license is immediately and automatically forfeited after the expiration date for non-compliance with the requirements for maintaining or renewing the license.

(b) A forfeited license may be restored under the following conditions:

- (1) File a completed restoration application along with a valid signature;
- (2) Payment of all delinquent biennial renewal fees including the current fee;
- (3) Payment of a penalty fee for each biennial renewal as provided in the department's fee rules, chapter 16-53; and
- (4) Should the restoration request be made after three years from the date of forfeiture, a written explanation along with supporting documentation shall be necessary and shall be subject to approval. [Eff and comp 2/22/05; comp ] (Auth: HRS §439-2) (Imp: HRS §439-15)

**§16-78-6 Responsibility.** Beauty shop or beauty school shall be responsible for all operations and shall be responsible to see that only duly licensed or registered persons work in the place of business or school. [Eff and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-7 Workmanship.** All work performed shall conform to the industry standards. Conduct or practice contrary to recognized industry standards shall be construed as professional misconduct, gross carelessness, or manifest incapacity. [Eff and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-19)

## SUBCHAPTER 2

### APPLICATIONS

**§16-78-9 Forms and instructions.** (a) An application, accompanied by the required fees and filed with the board, shall be prepared in accordance with and contain the information called for in the application form prescribed by the board, or any instructions which may be required by the board.

(b) The executive secretary or such other person authorized by the department shall determine the sufficiency of qualifications of applicants.

(c) The applicant shall attach to the required and appropriate application a recent passport sized photograph. [Eff 7/4/64; am and ren §16-78-9, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §§438-5, 439-15) (Imp: HRS §439-11)

**§16-78-10 Application for examination and license.** (a) Applications for examination and license for a beauty operator or an instructor shall be filed at least seven weeks prior to the examination month, which may be regularly given not less than three times a year.

(b) A temporary permit may be issued to an applicant that has met the requirements for examination. The applicant shall provide the information necessary to issue a temporary permit. [Eff 7/4/64; am and ren §16-78-10, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §§439-11, 439-16)

**§16-78-11 License applications. (a)**

Applications for license of a beauty shop shall include the necessary documents and information as required in sections 16-78-41 to 16-78-45, in addition to:

- (1) Verification that the shop complies with the sanitary requirements of the department of health;
- (2) Name of a currently licensed beauty operator who shall practice at the shop;
- (3) Should the applicant be a corporation or partnership, verification of proper registration with business registration division (BREG); and
- (4) Should the applicant be an individual, a passport sized photograph of the applicant taken not more than one year prior to the date of application.

(b) Applications for license of a beauty school shall submit the necessary documents and information as required by sections 16-78-48 to 16-78-63. [Eff 7/4/64; am 12/27/66; am and ren §16-78-11, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §§439-17, 439-18)

**§16-78-12 Applications for registration.**

Applications for registration shall be for an apprentice and an instructor trainee. [Eff 7/4/64; am and ren §16-78-12, 7/2/81; am and comp 12/21/89; comp ]



2/22/05; comp ] (Auth: HRS §438-5)  
(Imp: HRS §438-5)

**§16-78-13 Denial.** In the event an application for examination, issuance or restoration of a license, or registration is denied or refused, the board shall notify the applicant by letter of the board's action which shall include a concise statement of the reasons therefor and if the applicant is entitled to a hearing, a statement informing the applicant to the right to a hearing if the applicant so desires. [Eff 7/4/64; am and ren §16-78-13, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-19)

**§16-78-14 Demand for hearing.** Any person whose application for admission to the examination, for the issuance, or restoration of a license, or registration has been denied by the board, shall be entitled to a hearing; provided that a demand for a hearing is filed with the board within sixty days of the date of the letter informing the applicant of the denial of application; and provided further that this section shall not apply to a denial based on the failure to file an application within the period provided by this chapter. [Eff 7/4/64; am and ren §16-78-14, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-20)

**§16-78-15 Falsification of application.** The board may deny an applicant admission to the examination, or issuance of license, void applicant's examination score, or revoke a license on the ground of falsification of any information supplied in the application for examination, application for license,

application for registration, experience verification form, or supporting documents. [Eff 7/4/64; am and ren §16-78-15, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5)  
(Imp: HRS §439-19)

**§16-78-16 Abandonment of application.** An application shall be deemed to have been abandoned if all requirements, including filing of forms and payment of fees have not been completed within two years from the date first filed. [Eff and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-2)

### SUBCHAPTER 3

#### VALIDATION

**§16-78-19 Requirements for registration.** (a)  
The apprentice applicant shall:

- (1) Submit verification of having an education equivalent to the completion of high school;
- (2) Provide the name and address of the beauty shop, and the name of the beauty operator supervising the apprentice;
- (3) Applicants who are transferring from a shop to a school or a school to a shop shall submit verification of training hours completed at the shop or school. Apprentices transferring to a school may be credited with one half number of training hours. Students transferring to a shop may be credited with double the number of training hours;
- (4) Apprentices shall have forty-two months from the date of registration to complete

training at the minimum of twenty hours per week;

- (5) Apprenticeship training shall comply with the board's apprenticeship manual and apprenticeship curriculum. Exhibit A entitled "Apprenticeship Manual," dated March 9, 1988, located at the end of this chapter, is made part of this chapter; and
- (6) No credit will be given for beauty training in a shop prior to date of registration with the board.
- (b) An instructor-trainee shall:
  - (1) Submit verification of having an education equivalent to the completion of high school;
  - (2) Provide a copy of a current beauty operator license in good standing; and
  - (3) Submit verification of one year beauty operator experience in this State or another jurisdiction having standards substantially equivalent to those of this State. [Eff 7/4/64; am and ren §16-78-19, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-20 Requirements for examination and license.** (a) Instructor applicants shall provide verification of:

- (1) Having a current beauty operator license or an instructor license;
- (2) Having one year experience as a licensed beauty operator; and
- (3) Satisfactorily completing not less than six hundred hours or four months of beauty school instructor training in this State or another jurisdiction having substantially equivalent standards. If the training is not substantially equivalent, the applicant shall provide verification of one year instructor experience.

(b) Beauty operator applicants shall have an education equivalent to the completion of high school. One year experience as a licensed beauty operator in another jurisdiction shall satisfy the high school education requirement.

(c) Beauty operator applicants shall satisfy the beauty training requirement as a student at a beauty school, as an apprentice in a beauty shop, or being currently licensed in another jurisdiction.

(1) Beauty training from another jurisdiction shall be accepted provided that the training is substantially equivalent to those as prescribed by the board. If the training is less than those prescribed by the board, then the applicant shall make up the difference as a beauty student or as an apprentice; or

(2) The license of an applicant currently licensed in another jurisdiction shall be recognized provided that the jurisdiction has substantially equivalent training as prescribed by the board. If the training requirement is less than those prescribed by the board, then the applicant shall make up the difference as a beauty student or provide verification of one year experience as a licensed beauty operator in that jurisdiction. [Eff 7/4/64; am and ren §16-78-20, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §§438-5, 439-12) (Imp: §§439-11, 439-12)

**§16-78-21 Temporary permit.** (a) A temporary permit shall be issued upon request to applicants approved for examination to train and work while waiting for the examination.

(b) The temporary permit shall cover a period of three examinations as consecutively scheduled by the board from the date the applicant qualifies for the first examination and requests a temporary permit.

(c) The temporary permit provides the qualified applicant to train and work in a licensed beauty shop under supervision of a licensed beauty operator in the appropriate certification category. [Eff 7/4/64; am 12/27/66; am and ren §16-78-21, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-16)

**§16-78-22 Curriculum.** The curriculum for beauty training includes, but is not limited to, the subjects and hours for each certification category and instructor-trainee as follows:

- (1) Exhibit B entitled "Apprenticeship Curriculum," dated March 9, 1988, located at the end of this chapter, is made a part of this chapter;
- (2) Exhibit C entitled "Beauty School Curriculum," dated March 9, 1988, located at the end of this chapter, is made a part of this chapter; and
- (3) Exhibit D entitled "Instructor-trainee Curriculum," dated March 9, 1988, located at the end of this chapter, is made a part of this chapter. [Eff 7/4/64; am 4/17/70; am and ren §16-78-22, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §§438-5, 439-12) (Imp: HRS §439-12)

#### SUBCHAPTER 4

#### EXAMINATIONS

**§16-78-26 Subject matter.** The examination shall be designed to test the applicant's theoretical and practical knowledge in the practice of cosmetology and

cosmetology law and rules which the board or its designated testing service determines to be essential to the protection of the general public. [Eff 7/4/64; am and ren §16-78-26, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-14)

**§16-78-27 Passing score.** A grade of not less than 75.00 points shall be a passing score for any part of the examination. [Eff 7/4/64; am and ren §16-78-27, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-14)

**§16-78-28 Examination.** (a) No license shall be issued to any person unless the person takes and passes the examination as prescribed by the board for the license applied for. Failure to obtain a passing score shall result in failure of the examination as a whole.

(b) The examination shall be given only on established dates and at designated locations in the State. Exceptions to established dates shall be made for the benefit of candidates who for religious reasons may not sit on scheduled examination dates. Conditions and procedures for admittance to this special date shall be determined by the board and testing service.

(c) Examinations shall be conducted in accordance with procedures formulated by the testing service authorized by the board to administer examinations. Failure to follow such procedures shall result in immediate disqualification from the examination and may bar applicants from being examined in any future examinations. [Eff 7/4/64; am and ren §16-78-28, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-14)

**§16-78-29 Reexamination.** (a) An applicant who fails to attain a passing score in any part of the examination shall be required to repeat the entire examination.

(b) Should an applicant fail to get a passing score by the end of the second year from the date of qualifying for the first examination, the applicant shall file an application for re-examination.

(c) An applicant who registers for examination but fails to sit for the examination is a no show applicant and forfeits the examination fee. The no show applicant shall register and pay examination fee for any subsequent examination. [Eff 7/4/64; am and ren §16-78-29, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5)  
(Imp: HRS §438-5)

**§16-78-30 Language.** All examinations shall be conducted in the English language and no applicant shall be permitted the use of an interpreter. [Eff 7/4/64; am and ren §16-78-30, 7/2/81; comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5)  
(Imp: HRS §438-5)

**§16-78-31 Supplies and equipment.** Each applicant shall be required to provide their own supplies, and equipment for the examination. [Eff 7/4/64; am and ren §16-78-31, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5)  
(Imp: HRS §438-5)

**§16-78-32 Repealed.** [R 12/21/89]

## SUBCHAPTER 5

### EXEMPTIONS AND EXCEPTIONS

**§16-78-36 Exemptions.** The rules governing the practice of cosmetology shall not apply to the following persons when acting within the scope of their profession or occupation:

- (1) Persons authorized by law of this State to practice medicine and surgery;
- (2) Persons authorized by law of this State to practice barbering;
- (3) An officer or employee of the United States, if the practice is performed by the employees within the federal property;
- (4) Manufacturer's representatives or sales persons in retail outlets who sell beauty products or techniques for promotional purposes without compensation for the cosmetology services;
- (5) Persons who are employed by a firm or corporation dealing as a beauty operator for the sole purpose of giving demonstrations on the use of the products on one's self or a model;
- (6) Educational activities conducted in connection with any monthly, annual, or other special program from which the general public is excluded. This exemption shall apply only to the specific days of the special program;
- (7) Persons employed by theatrical groups, modeling agencies or photography studios without being directly compensated by the client being serviced; or
- (8) Persons employed by health care facilities who are providing care to patients. [Eff 7/4/64; am and ren §16-78-36, 7/2/81; am and



comp 12/21/89; comp 2/22/05; comp  
] (Auth: HRS §438-5) (Imp:  
HRS §439-2)

**§16-78-37 Exceptions.** The practice of cosmetology shall be carried on only by persons duly licensed to practice in this State and only in a licensed beauty shop, except as provided in this subsection. A duly licensed beauty operator may practice cosmetology:

- (1) Upon patients or residents in a hospital or nursing home;
- (2) Upon inmates or residents of institutions of mental health or correctional institutions;
- (3) Upon an invalid or handicapped person in that person's place of residence;
- (4) Upon a person at a charitable event, provided this exception shall apply only to the specific event on the specific day or days;
- (5) Educational activities conducted in connection with any monthly, annual, or other special program from which the general public is excluded. This exception shall apply only to the specific days of the special program; and
- (6) As an employee of a theatrical group, modeling agency or photography studio, provided the client does not compensate the licensee. [Eff 7/4/64; am and ren §16-78-37, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

## SUBCHAPTER 6

### BEAUTY SHOP REQUIREMENTS

**§16-78-41 Compliance with other laws.** The board may accept a signed statement from the department of health that the shop for which the certificate is sought is or will be in full compliance with all State public health and safety requirements. [Eff 7/4/64; am and ren §16-78-41, 7/2/81; comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-42 Shop.** A fee shall be charged for relocation under the same name and ownership. License certificates are nontransferable. [Eff 7/4/64; am 12/27/66; am and ren §16-78-42, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-43 Price list.** (a) No beauty shop shall perform any work upon the public unless there is displayed in a conspicuous place, both reception room and work room, one or more signs which shall read as follows:

"PRICE LIST AVAILABLE UPON REQUEST"

This sign shall be printed in letters of not less than three-fourths inch in size.

(b) Every shop shall have a price list available. The price of each and every service offered and the price of each and every product to be used in connection with the services shall be plainly set forth on a price list. [Eff 12/27/66; am and ren §16-78-43, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-44 Employment of apprentices.** Shops employing apprentices shall comply with the board's apprenticeship manual and apprenticeship curriculum. Failure to comply may be cause for disciplinary action. [Eff 12/17/66; am 4/17/70; am and ren §16-78-44, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-45 Employment of barbers.** A barber with a valid and current license shall be permitted to work in a beauty shop without meeting any additional cosmetology licensing requirements. [Eff and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-1)

## SUBCHAPTER 7

### BEAUTY SCHOOL REQUIREMENTS

**§16-78-48 Schools.** No license for a beauty school shall be issued unless the applicant presents evidence to the board that the applicant has satisfactory school facilities, equipment, meets all of the requirements of the board, and is qualified to offer a course of study as provided by the board. [Eff 7/4/64; am 4/17/70; am and ren §16-78-48, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §§438-5, 439-18) (Imp: HRS §439-18)

**§16-78-49 Application.** Each applicant for certificate of registration to conduct a school shall submit the following to the board:

- (1) A complete statement of the applicant's training and experience in order to establish his fitness to conduct a school as proposed;
- (2) A bank reference of the applicant's financial standing;
- (3) Certificate of clearance from the county building department and from the department of health;
- (4) Concise floor plan, giving measurements of all spaces and total space and showing placement of all equipment;
- (5) A copy of student contract and enrollment forms;
- (6) Copy of school catalog or brochure and all documents proposed to be used in recruiting students;
- (7) A statement of the method and content of advertising to be used;
- (8) Copy of diploma or certificate to be awarded;
- (9) Schedule of all fees, tuition and charges to be made;
- (10) Name and certificate of principal in charge of school and name and certificate number of all instructors;
- (11) Copy of school rules;
- (12) A surety or cash bond in the sum of \$10,000 payable and in a form satisfactory to the board. The condition contained therein shall be that the school shall provide indemnification to any student who suffers loss as a result of the school not fulfilling its obligations under the terms of its certificate of registration. The bonding requirement may be reduced at the discretion of the board by a showing of the school that the requirement is excessive and

that at no time advance collections from students amount to as much as \$10,000; and  
(13) An itemized list of all materials that constitute a student's kit. [Eff 7/4/64; am 4/17/70; am and ren §16-78-49, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-50 License.** Licenses to operate a beauty school are nontransferable. [Eff 7/4/64; am and ren §16-78-50, 7/2/81; comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-51 Courses of study.** Courses of study shall be in accordance with the board's beauty school curriculum and instructor-trainee curriculum. [Eff 7/4/64; am and ren §16-78-51, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-18)

**§16-78-52 Law and rules.** State law and rules adopted by the [~~State~~] state board shall be taught in all classes. [Eff 7/4/64; am and ren §16-78-52, 7/2/81; comp 12/21/89; comp 2/22/05; am and comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-53 Principal.** The principal shall provide the name and certificate number of all instructors and be in charge of and responsible for the operation of the school. [Eff 7/4/64; am and ren §16-78-53, 7/2/81; am and comp 12/21/89; comp 2/22/05;

comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-54 Instructor-student ratio.** The instructor student ratio shall be one instructor for every twenty-five students. A school shall have a minimum of two licensed instructors, which may include the principal, provided the principal is a licensed instructor. [Eff 7/4/64; am 4/17/70; am and ren §16-78-54, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-55 Instructor-trainee.** The beauty school shall assure the instructor-trainee is in compliance with the following:

- (1) Training shall be under direct supervision of a licensed instructor;
  - (2) Training shall comply with the board's instructor-trainee curriculum;
  - (3) Instructor-trainee shall not practice cosmetology at the beauty school as a beauty operator;
  - (4) Instructor-trainee shall be furnished with an instructor manual; and
  - (5) Instructor-trainee shall be identified with a name tag stating "Instructor-trainee."
- [Eff 7/4/64; am and ren §16-78-55, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §439-18)

**§16-78-56 Bond.** The surety or cash bond required to be furnished by any school shall be continuous in form and remain in full force and effect and shall run concurrently with the license period and

for any renewals thereof, unless terminated or cancelled by the surety. Such termination or cancellation shall not be effective, however, unless notice thereof is delivered by the surety to the board at least sixty days prior to date of termination or cancellation. The certificate of registration of any licensee shall be suspended upon termination or cancellation of the bond, unless prior thereto a new bond has been filed with the board. [Eff 7/4/64; am 4/14/70; am and ren §16-78-56, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-57 School facilities.** The room or rooms where work is done on customers shall not be used as a class or lecture room when customers are present. There shall be adequate facilities for classroom use, appropriately equipped. There shall also be sufficient lockers available for students' private property. [Eff 7/4/64; am 9/9/66; am and ren §16-78-57, 7/2/81; comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5, 439-18)

**§16-78-58 Equipment.** (a) The school shall maintain at least the following minimum equipment for each twenty-five students enrolled:

- (1) Three shampoo bowls;
- (2) Three dryers;
- (3) Sufficient reclining chairs for facials (punees are acceptable);
- (4) Three manicure tables;
- (5) One chair and dresserette station for each student;
- (6) Mannequin for each student with first quality hair for use in practicing the art of cosmetology (mannequins shall be placed on firm stands);

(7) Wet sterilizers (sufficiently large to accommodate the instruments used by twenty-five students);

(8) Electrical appliances for the proper training of beauty culture; and

(9) X-ray equipment shall not be used.

(b) The requirement of subsection (a) shall be standard beauty equipment and maintained in good working condition. [Eff 7/4/64; am and ren 7.11; 9/9/66; am and ren §16-78-58, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §§438-5, 439-18)

**§16-78-59 Enrollment.** (a) The number of students shall be small enough to permit an effective educational program. The number of students shall be set so that the total of students, patrons, and faculty does not exceed the occupancy requirements of the [~~State~~] state board of health and the building department of the county in which the school is located.

(b) A beauty school shall enroll only students who are at least sixteen years of age and who have an education equivalent to the completion of high school or grade twelve. [Eff 9/9/66; am and ren §16-78-59, 7/2/81; am and comp 12/21/89; comp 2/22/05; am 9/26/15; am and comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-60 School hours.** The program of instruction for any instructor or student shall not exceed forty hours per week nor more than eight hours in any one day. [Eff 7/4/64; am and ren 7.13; 9/9/66; am and ren §16-78-60, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)



**§16-78-61 Students.** Students who resume their beauty culture courses after a lapse of three years or more shall not receive credit hours for previous course work. [Eff 7/4/64; am and ren 7.14; 9/9/66; am and ren §16-78-61, 7/2/81; comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5)  
(Imp: HRS §438-5)

**§16-78-62 Instructors.** The beauty school shall assure the instructors are in compliance with the following:

- (1) Instructors shall be in attendance at all times when students are working upon customers;
- (2) Instructors shall not practice cosmetology at the school as operators; and
- (3) Instructors shall teach only in the certification category in which the instructor holds a beauty operator license and shall be identified with a name stating "instructor" and the appropriate beauty operator category. [Eff 7/4/64; am and ren 7.15; 9/9/66; am and ren §16-78-62, 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-63 Library.** Each school shall maintain a reasonably adequate library of books relating to the science and art of beauty culture. [Eff 7/4/64; am and ren 7.16; 9/9/66; am and ren §16-78-63, 7/2/81; comp 12/21/89; comp 2/22/05; comp ]  
(Auth: HRS §438-5) (Imp: HRS §438-5)

**§16-78-64 Signs.** No school shall perform any work upon or for members of the general public unless there is displayed in a conspicuous place in both reception room and work room one or more signs no smaller than 18" x 24" which shall read as follows: "School of Beauty Culture Work done by students under supervision." No school shall advertise or hold itself out as doing professional work, or in any manner guaranteeing the work of students. [Eff 7/4/64; am and ren 7.17; 9/9/66; am and ren §16-78-64, 7/2/81; comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §438-5) (Imp: HRS §438-5)

## SUBCHAPTER 8

### ORAL TESTIMONY

**§16-78-68 Oral testimony.** (a) The board shall accept oral testimony on any item which is on the agenda, provided that the testimony shall be subject to the following conditions:

- (1) Each person seeking to present oral testimony shall notify the board not later than forty-eight hours before the meeting, and at that time shall state the item on which testimony is to be presented;
- (2) The board may request that any person providing oral testimony submit the remarks, or a summary of the remarks, in writing to the board;
- (3) The board may rearrange the items on the agenda for the purpose of providing for the most efficient and convenient presentation of oral testimony;
- (4) Persons presenting oral testimony at the beginning of the testimony shall identify

themselves and the organization, if any,  
that they represent;

- (5) The board may limit oral testimony to a specified time period but in no case shall the period be less than five minutes, and the person testifying shall be informed prior to the commencement of the testimony of the time constraints to be imposed; and
- (6) The board may refuse to hear any testimony which is irrelevant, immaterial, or unduly repetitious to the agenda item on which it is presented.

(b) Nothing in this section shall require the board to hear or receive any oral or documentary evidence from a person on any matter which is the subject of another proceeding pending subject to the hearings relief, declaratory relief, or rule relief provisions of chapter 16-201.

(c) Nothing in this section shall prevent the board from soliciting oral remarks from persons present at the meeting or from inviting persons to make presentations to the board on any particular matter on the board's agenda. [Eff 11/7/64; am 12/28/69; am and ren §16-78-68 7/2/81; am and comp 12/21/89; comp 2/22/05; comp ] (Auth: HRS §§438-5, 92-3) (Imp: HRS §§438-5, 92-3)

## SUBCHAPTER 9

### PRACTICE AND PROCEDURE

#### **§16-78-72 Administrative practice and procedure.**

The rules of practice and procedures for cosmetology shall be as provided in chapter 16-201, the rules of practice and procedure of the department of commerce and consumer affairs, which are incorporated by reference and made a part of this chapter. [Eff and

comp 12/21/89; comp 2/22/05; comp ]  
(Auth: HRS §91-2) (Imp: HRS §91-2)

~~[SUBCHAPTER 10~~

~~MEDICAL CLEARANCE~~

~~§16-78-76 Medical clearance.~~ Upon the department of health declaring an emergency or epidemic concerning one or more contagious or infectious disease or diseases, all licensed beauty operators, licensed instructors, beauty operator applicants, instructor applicants, instructor trainees, students, and apprentices shall provide a medical clearance certificate from a physician attesting that the licensee or applicant is free from that particular contagious or infectious disease or diseases, as the case may be.]” [Eff and comp 12/21/89; comp 2/22/05; R ] (Auth: HRS §439-7) (Imp: HRS §439-12.5)

2. Material, except source notes and other notes, to be repealed is bracketed and stricken. New material is underscored.

3. Additions to update source notes and other notes to reflect these amendments and compilation are not underscored.

4. These amendments to and compilation of chapter 16-78, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on November 30, 2021 and filed with the Office of the Lieutenant Governor.



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CATHERINE P. AWAKUNI COLÓN  
Director of Commerce and  
Consumer Affairs

APPROVED AS TO FORM:



---

Deputy Attorney General

**EXHIBIT A**

# **APPRENTICESHIP MANUAL**

## **BEAUTY OPERATORS**

BOARD OF COSMETOLOGY  
Department of Commerce and Consumer Affairs  
State of Hawaii  
P. O. Box 3469  
Honolulu, HI 96801

**BOARD OF COSMETOLOGY  
State of Hawaii**

**APPRENTICESHIP MANUAL - BEAUTY OPERATORS**

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## INTRODUCTION

The Board of Cosmetology recognizing the need of skilled and qualified licensees creates this *Apprenticeship Manual* that establishes minimum standards for the Cosmetology Apprenticeship Program.

### I. DEFINITIONS

*"Apprentice"* means a person who is engaged in a beauty shop in training and learning to be a beauty operator and while so doing assists in any of the practices of cosmetology.

*"Apprenticeship Agreement"* shall mean a signed, written agreement between all concerned parties (if the apprentice is a minor, the parents or guardian). This agreement shall have a statement that all parts of the apprenticeship program is in keeping with State regulations governing the apprenticeship program.

*"Board"* means the Hawaii board of cosmetology.

*"Certification category"* shall mean any one of the following beauty operator category: cosmetologist, hairdresser, cosmetician, and manicurist.

*"Related client training"* shall mean in-shop, one-on-one training and direct supervision in the certification category of services given by the apprentice that have completed at least 10 per cent of the required hours for that service on a mannequin, if appropriate to the certification category.

*"Related mannequin training"* shall mean in-shop, one-on-one mannequin training which is related to the objectives of that certification category.

*"Related theory instruction"* shall mean instruction with a book of cosmetology which is related to the objectives of that certification category for which the apprentice is in training. The theory portion of the course may be earned at a licensed beauty school.

*"Shop"* shall mean a licensed beauty shop offering training under these standards.

*"Supervising operator"* shall mean a licensed beauty operator with a minimum of one year experience as a licensed beauty operator charged with the overall supervision and training of the apprentice in accordance with these standards. The supervising operator shall be licensed in the appropriate certification category.

### II. STANDARDS OF APPRENTICESHIP

#### A. TERM OF APPRENTICESHIP

1. The term of apprenticeship for the respective certification categories shall be as follows:

COSMETOLOGIST	- 3600 hours
HAIRDRESSER	- 2500 hours
COSMETICIAN	- 1100 hours
MANICURIST	- 700 hours

2. The training shall be not less than 20 hours per week to be completed within 42 months from the date of registration.
3. Each apprentice employed under these standards shall be trained as necessary in the certification category of their choice with minimum level skills and knowledge.



**B. QUALIFICATIONS OF THE APPRENTICE**

1. The apprentice shall be at least 16 years of age and possessed of an education equivalent to the completion of high school.
2. The apprentice shall be registered with the board upon payment of application and registration fees.

**C. BEAUTY SHOP RESPONSIBILITY**

1. The beauty shop is responsible to assure compliance with applicable laws of the State of Hawaii regarding the employment and training of the apprentice. The beauty shop shall be licensed and adequately staffed to handle the apprenticeship program and:
  - a. Is qualified and prepared to train the apprentice in the appropriate certification category of cosmetology;
  - b. Is prepared to keep accurate records for at least three (3) years; and agrees to keep on file an additional three (3) years;
  - c. Agrees that a ratio of licensed beauty operators to apprentices shall not exceed one to one;
  - d. The program of training and services performed by the apprentice shall follow the board's curriculum;
  - e. The supervising operator shall have a minimum of one year of experience in the appropriate certification category;
  - f. The program of training shall be limited to the appropriate certification category;
  - g. The shop shall provide the apprentice with training of at least 20 hours per week to be completed for the period of time covered by the certification category, but not to exceed 42 months;
  - h. The shop shall complete monthly training records by the 15th of the following month reflecting the progress and satisfactory attendance of the apprentice. Each apprentice shall receive a copy of their training record;
  - i. The shop shall provide the apprentice with its written rules and regulations which shall include orientation during the initial period of training;
  - j. Upon termination of training, the apprentice shall be presented within five days from date of release with the appropriate training records for the time spent in the shop;
  - k. The shop shall provide the board with a report every six months on a form developed by the board titled as "Apprentice Progress Report" (Attachment A);
  - l. The shop shall provide the apprentice and the board with a "Certificate of Completion" within 10 days of completion on a form developed by the board (Attachment B);
  - m. The board's apprenticeship registration shall be conspicuously posted in the shop and the apprentice shall be identified with a name tag stating "Apprentice" and the appropriate beauty operator category;
  - n. The shop shall provide the apprentice with training and with participation in receptionist and dispensary activities; and

- o. The shop shall not deduct earned hours as a penalty or for disciplinary reasons.

## 2. Space and Facilities

- a. The beauty shop shall be adequately equipped and maintained to provide the apprentice with a station/practical work area to include space for personal items and for theory study;
- b. The beauty shop shall have sufficient electrical outlets and a first aid kit for emergency use; and
- c. The beauty shop shall comply with the sanitation requirements of the Department of Health.

## 3. Instructional Material

The beauty shop shall have an adequate supply of authoritative and instructional materials and training aids to train in each certification category offered. The beauty shop shall provide the apprentice with a list of equipment and supplies (similar to a beauty kit) necessary for the desired certification category at reasonable cost but shall not exceed the wages earned by the apprentice, which shall include but not limited to the following:

- a. Chapter 78, Rules of the Board of Cosmetology and Chapter 439, Hawaii Revised Statutes;
- b. A textbook (i.e., *Milady Standard Textbook of Cosmetology*, or the *Van Dean Manual* or similar text);
- c. Necessary professional and personal electrical equipment which shall be in good working order;
- d. Beauty shop supplies which shall be of a professional nature and necessary to that certification category; and
- e. The apprentice shall have a mannequin and a holder of good quality, if appropriate to that certification category.

## 4. Supervising Operator

Part of the designated supervising operator's responsibility shall include assurance of the apprentice's training through instruction, demonstration, direction, counseling, and disciplining.

The supervising operator shall be responsible for the accuracy of the apprentice's training records which will contain:

- a. Daily attendance and running monthly total of accumulated hours titled "*Apprentice Daily Attendance Report*" (see Attachment C, Sample Form);
- b. Theory instruction and mannequin work;
- c. Practical experience verification; and
- d. Completion verification of each task, subject, or work process.

## 5. Instructional Methods

The beauty shop shall be responsible to assure the apprentice has the necessary training to meet the minimum competency level training requirement.

- a. The supervising operator shall explain to the apprentice the conditions of the apprenticeship program;
- b. Provide an explanation of the criteria by which the apprentice will be evaluated as well as the minimum acceptable levels of performance as developed by the beauty shop;
  - c. Ten per cent of the hours for each appropriate service shall be done on a mannequin before working on paying clients;
  - d. The apprentice shall have sufficient opportunities to practice the necessary skills in the appropriate certification category;
  - e. Special emphasis shall be placed on safety and sanitation;
  - f. Apprentice training shall follow a planned sequence of events normally starting with the lowest level of difficulty and progressing to the more difficult services; and
  - g. The apprentice progress and achievements are evaluated on a regular basis.

6. Client Work and Responsibilities

To assure successful training of the apprentice, the beauty shop shall provide the apprentice with clients, and all work shall be done under direct supervision of the supervising operator.

- a. A record of the services performed on clients by apprentices will be maintained (see Attachment D, *Practical Evaluation Report*, Sample Form); and
- b. Servicing clients shall occur only after appropriate theory (textbook) training and mannequin work, if appropriate, in that subject area/service.

7. Curriculum

- a. The board's curriculum sets the minimum standards necessary to train an apprentice. The curriculum provides an outline of the subjects and the hours necessary to train for each certification category. The beauty shop shall comply and provide the training in accordance with the board's curriculum (see Exhibit B, *Apprentice Curriculum*).

8. Credit for Previous Experience

- a. An apprentice including an apprentice from another jurisdiction, may be allowed credit for hours earned during apprenticeship provided the training is equivalent to Hawaii's standards and the training is not more than three (3) years old.
- b. An apprentice transferring from a beauty school to an apprenticeship program or vice versa, the applicant shall be allowed credit for training based on two hours of apprenticeship equals one hour of beauty school training.

III. STANDARDS OF APPRENTICESHIP AGREEMENT

The purpose for an apprenticeship agreement is to clearly provide in writing the duties and responsibilities of all concerned parties (beauty shop, supervising operator, and apprentice) in the apprentice training program. The agreement should be in writing and signed with all concerned parties receiving a copy.

The standards for the agreement should include but not be limited to the following provisions:

1. Identification of all parties, name and address, title/position, and signatures;
2. Identification and statement of the type of training;
3. Attestment of the apprenticeship meeting the apprenticeship requirements;
4. Provision for reasonable cost of supplies and equipment borne by the apprentice;
5. By reference incorporating the provisions of Apprenticeship Manual and cosmetology regulations; and
6. Provision for equal opportunity and affirmative action standards.

**CERTIFICATION CATEGORIES**

HAIRDRESSER ONLY	COSMETICIAN ONLY	MANICURIST ONLY	COSMETOLOGIST (Hairdresser & Cosmetician)
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To: Board of Cosmetology  
State of Hawaii  
P. O. Box 3469  
Honolulu, HI 96801

Name of Shop: \_\_\_\_\_ License No. \_\_\_\_\_

Address of Shop: \_\_\_\_\_

Phone \_\_\_\_\_

Name of Apprentice: \_\_\_\_\_ Registration No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Name of Supervising Operator \_\_\_\_\_ Apprentice in \_\_\_\_\_ Certification Category \_\_\_\_\_

**APPRENTICE PROGRESS REPORT**

Training of Not Less Than 20 Hours Per Week

HRS	HRS	HRS	HRS	Subjects Covered	1st Month	2nd Month	3rd Month	4th Month	5th Month	6th Month	7th Month	8th Month	9th Month	10th Month	11th Month	12th Month	Total
200	200	200	400	Theory													
	300	300	300	Manicuring & pedicuring													
100			100	Scalp & hair treatment													
	350		350	Facials, makeup & arching													
700			700	Wet hairdressing, shampoo & comb out													
350			350	Permanent waving													
300			300	Haircoloring & bleaching													
300			300	Hair cutting & shaping													
100	100	100	200	Shampoo management, maintenance & laboratory													
100			100	Hair straightening													
350	150	100	500	Unassigned													
2500	1000	700	3600	TOTAL													

A-11

In compliance with the apprenticeship requirements, the foregoing information is a true and correct report of the hours of the above-named apprentice for the period.

Form: COS-015B  
380-483/185/288

Signature of Apprentice \_\_\_\_\_

Signature of Supervising Operator \_\_\_\_\_

License No. \_\_\_\_\_

Attachment A

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Completion or Withdrawal  
from  
APPRENTICESHIP TRAINING**

Apprentice  
Name: \_\_\_\_\_ Registration No.: \_\_\_\_\_

Certification  
Category: \_\_\_\_\_ TOTAL HOURS: \_\_\_\_\_

Date Began: \_\_\_\_\_ Date Completed/Terminated: \_\_\_\_\_

Shop Name: \_\_\_\_\_ Shop License: \_\_\_\_\_

Supervisor  
Name (Print): \_\_\_\_\_ License No.: \_\_\_\_\_

Indicate the **hours** applicable to the subjects in that particular Certification Category:

- I. Theory .....
- II. Salon Management .....
- III. Unassigned .....
- IV. Hair Cutting .....
- V. Scalp and Hair Treatments .....
- VI. Hairdressing and Shampooing .....
- VII. Permanent Waving .....
- VIII. Hair Coloring and Bleaching .....
- IX. Hair Straightening .....
- X. Facials and Makeup .....
- XI. Manicuring and Pedicuring .....


This is to certify that the above-named Apprentice has completed the hours of training as mentioned in the above-named Certification Category.

Supervisor  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Beauty Shop  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ATTACHMENT B

# APPRENTICE DAILY ATTENDANCE REPORT

(Not to be Used for Payroll Purposes)

Apprentice Name: \_\_\_\_\_
Registration No.: \_\_\_\_\_
Certification Category: \_\_\_\_\_

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
Shop Name																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
Supervisor Name																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
Start Date																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
Completion																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
																																	← Total Hours

**SYMBOLS:**

- AB - Absent
- T - Tardy
- C-I - Called In
  
- LoA - Leave of Absence
- S - Suspension
- TER - Termination

# **APPRENTICE DAILY ATTENDANCE REPORT** *(Not to be Used for Payroll Purposes)*

Apprentice Name: \_\_\_\_\_ Registration No.: \_\_\_\_\_ Certification Category: \_\_\_\_\_

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
Shop Name																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
Supervisor Name																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
Start Date																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
																																	← Total Hours

**SYMBOLS:**

**AB** - Absent  
**T** - Tardy  
**C-I** - Called In

**LoIA** - Leave of Absence  
**S** - Suspension  
**TER** - Termination

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
																																	← Total Hours

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Month	
																																	← Total Hours



## PRACTICAL EVALUATION REPORT

Beauty Shop Name:

Apprentice Name:

Supervisor:

TIME	Day Date		Day Date		Day Date		Day Date		Day Date		Day Date		Day Date	
	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO
8:30														
9:00														
9:30														
10:00														
10:30														
11:00														
11:30														
12:00														
12:30														
1:00														
1:30														
2:00														
2:30														
3:00														
3:30														
4:00														
4:30														
5:00														
5:30														

This recommended form may be used to track the daily activities of the apprentice and to evaluate the progress of services performed on mannequins and clients. To be completed daily by the apprentice and initialed by the supervisor.

**This form shall not be used for payroll purposes.**

\*SO - Supervising Operator's initials.

ATTACHMENT D

## PRACTICAL EVALUATION REPORT

Beauty Shop Name:

Apprentice Name:

Supervisor:

TIME	Day Date		Day Date		Day Date		Day Date		Day Date		Day Date		Day Date	
	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO	SERVICE	*SO
8:30														
9:00														
9:30														
10:00														
10:30														
11:00														
11:30														
12:00														
12:30														
1:00														
1:30														
2:00														
2:30														
3:00														
3:30														
4:00														
4:30														
5:00														
5:30														

This recommended form may be used to track the daily activities of the apprentice and to evaluate the progress of services performed on mannequins and clients. To be completed daily by the apprentice and initialed by the supervisor.

**This form shall not be used for payroll purposes.**

\*SO - Supervising Operator's initials.

ATTACHMENT D

State of Hawaii  
BOARD OF COSMETOLOGY

Form: Cosm 1/88

## APPRENTICESHIP CURRICULUM

SUBJECTS OF TRAINING		MANICURIST	COSMETICIAN	HAIRDRESSER	COSMETOLOGIST
THEORY	PRACTICAL APPLICATION	700 Hours	1100 Hours	2500 Hours	3600 Hours
THEORY: Basic theory instruction in all subjects including Anatomy (Circulatory System, Skin, Hair, and Nails), Physiology, Skeletal and Muscular Systems, Disorders of the Skin, Scalp and Hair, Product Knowledge, Chemistry, Bacteriology, Sanitation and Sterilization.		200 hours	200 hours	200 hours	400 hours
SHOP MANAGEMENT: Hygiene and Good Grooming, Visual Poise, Personality Development, Professional Ethics, Bacteriology, Sterilization, Sanitation, and State Laws (including Labor and Sanitation)	Required: First Aid Recommended: Desk, Lab. and Dispensary Duties - max. 40 hrs Inventory	100 hours	100 hours	100 hours	200 hours
UNASSIGNED Monitory Duties and Records, Study, Review and Specialization	Recommended: Monitor duties and records - max. 80 hrs. Specialization	100 hours	150 hours	350 hours	500 hours
HAIRCUTTING: Draping, Shampooing/Rinsing, Hair-Shaping, Sterilization and Sanitation.	Required: Patron Preparation, Sanitation/Sterilization, Implements, Sectioning, Haircutting and Thinning with Shears and Razor, Clippers	-0-	-0-	300 hours	300 hours
SCALP AND HAIR TREATMENTS Sanitation/Sterilization, Draping, Shampooing/Rinsing, Scalp and Hair Care, Theory or Massage, Skin Disorders, Hair Disorders, Anatomy, Electricity and Light Therapy, Chemistry	Required: Patron Protection and Preparation, Brushing, Application of Products and Manipulations Electrical Equipment, if available	-0-	-0-	100 hours	100 hours
HAIRDRESSING AND SHAMPOOING Sanitation/Sterilization, Draping, Shampooing/Rinsing, Fingerwaving, Hairstyling, Care and Styling of Wigs, Thermal Styling, Curling and Blow Dry Styling, Chemistry	Required: Thermal Styling and Blow Drying Recommended: Implements, Shapings, Fingerwaving, Skip Waves, Rollers and Roller Techniques, Back-Combing and Back-Brushing, Braiding and the Care, Setting and Styling of Wigs	-0-	-0-	700 hours	700 hours
PERMANENT WAVING (ALKALINE-ACID) Sanitation/Sterilization, Draping, Shampooing/Rinsing, Permanent Waving, Chemistry	Required: Patron Protection and Preparation, Sectioning and Blocking, Wrapping Techniques, Test Curls, Processing, Rinsing, Neutralizing, Record Cards and Release Statements.	-0-	-0-	350 hours	350 hours
HAIRCOLORING AND BLEACHING: Sanitation/Sterilization, Draping, Shampooing/Rinsing, Haircoloring, Law of Color, Color Selection, Chemistry	Required: Patron Protection and Preparation, Patch Test, Safety Precautions, Procedures for Mixtures and Application of Temporary Rinses, Semi-Permanent and Permanent Tints and Lighteners Recommended: Application of Virgin Tints (Lighter and Darker), Retouch, H2O2, Virgin Lighteners, Retouch Lighter, Toners, Frosting, Tipping, Streaking, (Cap and Weave), Color Removal and Tint Backs.	-0-	-0-	300 hours	300 hours

Continued

EXHIBIT B

APPRENTICESHIP CURRICULUM (continued)

SUBJECTS OF TRAINING		MANICURIST	COSMETICIAN	HAIRDRESSER	COSMETOLOGIST
THEORY	PRACTICAL APPLICATION	700 Hours	1100 Hours	2500 Hours	3600 Hours
<b>HAIR STRAIGHTENING</b> Sanitation/Sterilization, Draping, Shampooing/Rinsing, Chemical Hair Relaxing, Thermal Hair Straightening, Pressing, Reverse Reconstructive Curl (thio relaxer) Relaxer/Straightner (Sodium Hydroxide)	Required: Patron Preparation, and Protection, Application of Sodium Hydroxide, Retouch, Thio Relaxer and Retouch. Safety Precautions.	-0-	-0-	100 hours	100 hours
<b>FACIAL AND MAKEUP:</b> Sanitation/Sterilization, Draping, Theory of Massage, Facials/Makeup, False Lashes, Hair Removal, Anatomy, Cells, Skin Disorders, Electricity, Chemistry, Eyelash Application (Individual and Strip), Lash and Eyebrow Tint.	Required: Patron Protection and Precautions, Massage Techniques, Arch, Tweeze and Wax, Application of Products, Plain Facial, Packs and Masks, Makeup for Facial Types.	-0-	350 hours	-0-	350 hours
<b>MANICURING AND PEDICURING:</b> Sanitation/Sterilization, Manicuring, The Nail and Disorders of the Nail, Theory of Massage, The Skin and Disorders Anatomy, Chemistry	Required: Patron Protection and Precautions, Manicures (plain and hot oil), Massage, Nail Repair, Artificial Nails, and Press-ons, Polish Application, Tips and Wraps, Pedicuring and Hair Removal.	300 hours	300 hours	-0-	300 hours

State of Hawaii  
BOARD OF COSMETOLOGY

Form: Cosm 1/88

## BEAUTY SCHOOL CURRICULUM

SUBJECTS OF TRAINING		MANICURIST	COSMETICIAN	HAIRDRESSER	COSMETOLOGIST
THEORY	PRACTICAL APPLICATION	350 Hours	550 Hours	1250 Hours	1800 Hours
THEORY: Basic theory instruction in all subjects including Anatomy (Circulatory System, Skin, Hair, and Nails), Physiology, Skeletal and Muscular Systems, Disorders of the Skin, Scalp and Hair, Product Knowledge, Chemistry, Bacteriology, Sanitation and Sterilization.		100 hours	100 hours	100 hours	200 hours
SHOP MANAGEMENT: Hygiene and Good Grooming, Visual Poise, Personality Development, Professional Ethics, Bacteriology, Sterilization, Sanitation, and State Laws (including Labor and Sanitation).	Required: First Aid  Recommended: Desk, Lab. and Dispensary Duties - max 40 hrs. Inventory	50 hours	50 hours	50 hours	100 hours
UNASSIGNED: Monitory Duties and Records, Study, Review and Specialization.	Recommended: Monitor duties and records - max 80 hrs. Specialization	50 hours	75 hours	175 hours	250 hours
HAIRCUTTING: Draping, Shampooing/Rinsing, Hair-Shaping, Sterilization and Sanitation.	Required: Patron Preparation, Sanitation/Sterilization, Implements, Sectioning, Haircutting and Thinning with Shears and Razor, Clippers.	-0-	-0-	150 hours	150 hours
SCALP AND HAIR TREATMENTS: Sanitation/Sterilization, Draping, Shampooing/Rinsing, Scalp and Hair Care, Theory or Massage, Skin Disorders, Hair Disorders, Anatomy, Electricity and Light Therapy, Chemistry.	Required: Patron Protection and Preparation, Brushing, Application of Products, and Manipulations. Electrical Equipment, if available.	-0-	-0-	50 hours	50 hours
HAIRDRESSING AND SHAMPOOING: Sanitation/Sterilization, Draping Shampooing/Rinsing, Fingerwaving Hairstyling, Care and Styling of Wigs, Thermal Styling, Curling and Blow Dry Styling, Chemistry.	Required: Thermal Styling and Blow Drying.  Recommended: Implements, Shapings, Fingerwaving, Skip Waves, Rollers and Roller Techniques, Back-Combing and Back-Brushing, Braiding and the Care, Setting and Styling of Wigs.	-0-	-0-	350 hours	350 hours
PERMANENT WAVING (ALKALINE-ACID) Sanitation/Sterilization, Draping, Shampooing/Rinsing, Permanent Waving, Chemistry.	Required: Patron Protection and Preparation, Sectioning and Blocking, Wrapping Techniques, Test Curls, Processing, Rinsing, Neutralizing, Record Cards and Release Statements.	-0-	-0-	175 hours	175 hours
HAIRCOLORING AND BLEACHING: Sanitation/Sterilization, Draping, Shampooing/Rinsing, Haircoloring, Law of Color, Color Selection, Chemistry.	Required: Patron Protection and Preparation, Patch Test, Safety Precautions, Procedures for Mixtures and Application of Temporary Rinses, Semi-Permanent and Permanent Tints and Lighteners.  Recommended: Application of Virgin Tints (Lighter and Darker), Retouch, H2O2, Vrgin Lighteners, Retouch Lighter, Toners, Frosting, Tipping, Streaking, (Cap and Weave), Color Removal and Tint Backs.	-0-	-0-	150 hours	150 hours

Continued

EXHIBIT C

State of Hawaii  
BOARD OF COSMETOLOGY

BEAUTY SCHOOL CURRICULUM (continued)

SUBJECTS OF TRAINING		MANICURIST	COSMETICIAN	HAIRDRESSER	COSMETOLOGIST
THEORY	PRACTICAL APPLICATION	350 Hours	550 Hours	1250 Hours	1800 Hours
HAIR STRAIGHTENING Sanitation/Sterilization, Draping, Shampooing/Rinsing, Chemical Hair Relaxing, Thermal Hair Straightening, Pressing, Reverse Reconstructive Curl (thio relaxer) Relaxer/Straightner (Sodium Hydroxide)	Required Patron Preparation, and Protection, Application of Sodium Hydroxide, Retouch, Thio Relaxer and Retouch, Safety Precautions	-0-	-0-	50 hours	50 hours
FACIAL AND MAKEUP Sanitation/Sterilization, Draping, Theory of Massage, Facials/Makeup, False Lashes, Hair Removal, Anatomy, Cells, Skin Disorders, Electricity, Chemistry, Eyelash Application (Individual and Strip), Lash and Eyebrow Tint	Required Patron Protection and Precautions, Massage Techniques, Arch, Tweeze and Wax, Application of Products, Plain Facial Packs and Masks, Makeup for Facial Types	-0-	175 hours	-0-	175 hours
MANICURING AND PEDICURING Sanitation/Sterilization, Manicuring, The Nail and Disorders of the Nail, Theory of Massage, The Skin and Disorders, Anatomy, Chemistry	Required Patron Protection and Precautions, Manicures (plain and hot oil), Massage, Nail Repair, Artificial Nails, and Press-ons, Polish Application, Tips and Wraps, Pedicuring and Hair Removal	150 hours	150 hours	-0-	150 hours

**State of Hawaii  
BOARD OF COSMETOLOGY**

**INSTRUCTOR-TRAINEE CURRICULUM (600 HOURS)**

SUBJECTS OF INSTRUCTIONS	HOURS
<b>I. ORIENTATION</b> ..... <ul style="list-style-type: none"> <li>• Regulations dealing with the practice of cosmetology, sanitation, and labor.</li> <li>• School operations.</li> <li>• First Aid.</li> </ul>	25
<b>II. THE PROFESSIONAL TEACHER</b> ..... <ul style="list-style-type: none"> <li>• Teacher personality, technical knowledge and characteristics.</li> <li>• Teacher as professionals.</li> <li>• Preparation for teaching (planning the course, preparing lesson plans and steps of teaching).</li> <li>• Recordkeeping, time card, student record, appointment and school operation duties.</li> </ul>	50
<b>III. STUDENT MOTIVATION AND LEARNING</b> ..... <ul style="list-style-type: none"> <li>• Laws governing learning processes.</li> <li>• Student motivation, participation and personalities.</li> <li>• Individual differences.</li> <li>• Counseling.</li> </ul>	50
<b>IV. METHODS, MANAGEMENT AND MATERIALS</b> ..... <ul style="list-style-type: none"> <li>• Methods, procedures and techniques of teaching (lectures, discussions, demonstrations, conducting practice activities, questioning techniques, and special situations).</li> <li>• Classroom Management (physical environment, administrative duties, discipline, class supervision, classroom routines and corrective measures).</li> <li>• Teaching materials (audio-visual aids, values of different teaching aids, correct usage, textbooks, workbooks, reference books, creative aids).</li> </ul>	50
<b>V. TESTING AND EVALUATION</b> ..... <ul style="list-style-type: none"> <li>• Testing (purpose of testing, performance tests, written tests and standardize tests).</li> <li>• Evaluation (student abilities and achievement, teacher evaluation).</li> </ul>	50
<b>VI. PRACTICE TEACHING</b> ..... <ul style="list-style-type: none"> <li>• Practical application of teaching techniques in clinic and theory classrooms.</li> </ul>	300
<b>VII. UNASSIGNED</b> ..... <ul style="list-style-type: none"> <li>• Additional training in identified weak or deficient subjects.</li> </ul>	75

#### **IV. Administrative Matters**

##### **A. Update on the Status of the Board's Proposed Phase II Website Project**

*No attachments*



## **IV. Administrative Matters**

B. Update on the Board's Upcoming Advocacy Activities and Programs in accordance with the Board's Powers under Section 201M-5, HRS

*No Attachments*

## **V. Legislative Matters**

A. Discussion and Action on Governor's  
Message 726, Submitting for Consideration  
and Confirmation for the Gubernatorial  
Nomination of **Mr. Sanford Morioka** to the  
Small Business Regulatory Review Board  
for a term to expire June 30, 2023

# GM726

Measure Title: Submitting for consideration and confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, SANFORD MORIOKA, for a term to expire 06-30-2023.

Report Title: Small Business Regulatory Review Board

Description:

Companion:

Package:

Current Referral: EET

Introducer(s):

Sort by Date		Status Text
3/3/2022	S	Received.
3/3/2022	S	Referred to EET.

**S** = Senate | **H** = House | **D** = Data Systems | **\$** = Appropriation measure | **ConAm** = Constitutional Amendment

Some of the above items require Adobe Acrobat Reader. Please visit [Adobe's download page](#) for detailed instructions.

# GM726



**GOV. MSG. NO. 726**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

February 28, 2022

The Honorable Ronald Kouchi, President,  
And Members of the Senate  
Thirty-First State Legislature  
Hawai'i State Capitol, Room 409  
Honolulu, Hawai'i 96813

Dear Senate President Kouchi and Members of the Senate:

In accordance with the provisions of Article V, Section 6 of the Hawai'i State Constitution, I have the honor to submit herewith for your consideration and confirmation, the following nomination:

Sanford Morioka  
Small Business Regulatory Review Board  
Expiration Date: 6/30/2023

Sincerely,

A handwritten signature in black ink, reading "David Y. Ige".

DAVID Y. IGE  
Governor, State of Hawai'i

## **Sanford Morioka**

**COMPANY:** Edward Enterprises, Inc.

**TITLE:** President

**ADDRESS:**

Physical: 240 Puuhale Road #101 Honolulu, HI 96819

### **EDUCATION BACKGROUND:**

Graduate of Iolani School

BBA from University of Portland

- Marketing/Management

### **WORK HISTORY:**

Wallace Computer Services, Inc – 1989 – 2000

- Portland, OR – Account Executive
- Seattle, WA – Sr. Account Executive, Major Accounts

K/P Corporation – 2000 – 2002

- Seattle WA – Account Executive

Edward Enterprises, Inc. – 2002 – Present

- Honolulu, HI

I've been in the Printing Industry for 32 years. I Spent 17 years in the Pacific Northwest – 4 years in college at the University of Portland, 13 years in the printing industry. I returned back to Hawaii in 2002, and have spent the last 19 years with Edward Enterprises.

With Edward Enterprises, I have held the following positions:

- Account Executive
- Business Development Manager
- Vice President, Business Development
- Sr Vice President, Chief Sales Officer
- President

### **PREVIOUS SERVICE ON BOARDS/COMMITTEES:**

U/H Shidler Alumni Board of Directors

Hawaii Food Manufacturer's Association – Marketing Committee

Postal Customer Council Hawaii – Board of Directors

### **CURRENT SERVICE ON BOARDS:**

Edward Enterprises, Inc – Board of Directors

Palama Settlement – Executive Board of Directors

Honolulu Japanese Chamber of Commerce – Board of Directors